



Planning Committee

Wednesday 1 April 2015 at 7.00 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Marquis (Chair)
Colacicco (Vice-Chair)
Agha
S Choudhary
Filson
Hylton
Kansagra
Mahmood

Substitute Members

Councillors:

Chohan, A Choudry, Conneely, Duffy,
Ezeajughi, W Mitchell Murray and M Patel

Councillors

Colwill

For further information contact: Joe Kwateng, Democratic Services Officer
020 8937 1354, joe.kwateng@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Members' briefing will take place at 6.15pm in Boardrooms 7 and 8

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of personal and prejudicial interests Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.		
2. Minutes of the previous meeting		1 - 6
Extract of Planning Code of Practice		
NORTHERN AREA		
3. Ark Academy, Forty Avenue Wembley HA9 9JR (Ref. 15/0178)	Barnhill	11 - 32
4. 2A Shaftesbury Avenue, Harrow HA3 0QX (Ref. 15/0507)	Kenton	33 - 44
5. 84 Bowrons Avenue, Wembley HA0 4QR (Ref. 14/4732)	Wembley Central	45 - 58
SOUTHERN AREA		
6. Land Opposite Linden Avenue, Station Terrace (Ref. 14/3122)	Queens Park	59 - 74
7. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.		

SITE VISITS – SATURDAY 28 MARCH 2015

Members are reminded that the coach leaves the Civic Centre at 9.30am

REF.	ADDRESS	ITEM	WARD	TIME	PAGE
15/0178	Ark Academy Primary and Secondary School, Forty Avenue, Wembley, HA9 9JR	3	Barnhill	9:35	11 - 32
15/0507	2A Shaftesbury Avenue, Harrow, HA3 0QX	4	Kenton	10.05	33 - 44
14/4732	FLATS 1-6 INC, 84 Bowrons Avenue, Wembley, HA0 4QR	5	Wembley Central	10:35	45 - 58
14/3122	Storage Land Opposite Linden Avenue, Station Terrace, London	6	Queen's Park	11:10	59 - 74

Date of the next meeting: Tuesday 21 April 2015

The site visits for that meeting will take place the preceding Saturday **18 April 2015** at 9.30am when the coach leaves the Civic Centre.



Please remember to switch your mobile phone to silent during the meeting.

- The Conference Hall is accessible by lift and seats will be provided for members of the public on a first come first served principle.

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LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Wednesday 4 March 2015 at 7.00 pm

PRESENT: Councillors Marquis (Chair), Colacicco (Vice-Chair), Agha, Filson, Hylton, Kansagra and Mahmood

ALSO PRESENT: Councillors Hossain, Wilhelmina Mitchell-Murray, Pavey, Perrin and Stopp

Apologies for absence were received from S Choudhary

1. **Declarations of personal and prejudicial interests**

None.

2. **Minutes of the last meeting - 11 February 2015**

RESOLVED:-

that the minutes of the previous meeting held on 11 February 2015 be approved as an accurate record of the meeting.

3. **Bowling Club and Collins Lodge, King Edward VII Park, Park Lane, Wembley (Ref. 14/4208)**

PROPOSAL: Change of use of the bowling pavilion and adjoining land (Use class D2) into a primary school (Use class D1) also including the erection of a single storey classroom block, and part change of use of the land adjoining Collins Lodge (Use class C3) into parkland (Use class D2)

RECOMMENDATION: Grant planning permission subject to conditions.

Prior to the Area Planning Manager's introduction, Councillor Filson apologised to Denise Cheong (an objector) for comments he made at the last meeting when the application was considered that the objector was more concerned about noise to her garden rather than the interest of the park.

Rachel Murrell (Area Planning Manager) informed members that further to the deferral of the application for reasons set out in the report, no alternative site for a land swap within the park had been identified. She added that the issues raised at the last meeting had been addressed in the main report. With reference to the supplementary report the Area Planning Manager responded to additional concerns raised. In respect of the Council's procedure for disposal of buildings, she informed members that the Council's Property and Projects Department were developing a Community Asset Strategy to assist in responding to requests by other groups for community space. In terms of the planning process, any proposal for the use of the former bowling green pavilion and associated land as a

community use that fell within use class D1 would be subject to planning permission and, assessed in accordance with national and local planning policies and other material considerations. Members heard that a meeting of the Cabinet approved the principle of redevelopment of the Stonebridge Primary School which included that the school building currently let to the Welsh School be reverted back to the Stonebridge Primary School. She continued that officers in Transportation concluded that the proposal would not have a detrimental impact on the local road network, and recommended a Travel Plan be secured as part of the consent.

Rachel Murrell then responded to representations received from the Metropolitan Police Designing Out Crime Officer who raised safety and security issues due to the location of the proposed school in the park. She stated that as the school proposed to operate during the opening hours of the park (0800 to 1600 Mondays to Fridays) and children were likely to be supervised or accompanied by an adult, it was not clear how the safety risks would be more significant than for other park users.

Denise Cheong (Chair of Friends of King Edward VII Park) in objection reiterated the concerns she expressed at the last meeting and added that the Welsh School had not met the requirements for an equivalent land swap site and that there had not been a robust assessment of alternative sites. She continued that the proposed use of the park would be detrimental to a high class residential park and a community asset and would thus depart from paragraph 71 and CP18 of the Core Strategy.

In response to members' questions, Denise Cheong stated that local residents of Preston, Wembley Central and Tokyngton wards were prepared to set up therapeutic activities in the park and with that in mind, had submitted a business proposal to the Council's Head of Parks Service for her consideration. She added that the Fields in Trust would not support an application for non-sporting use of the park as there was a deed of dedication that sought to protect the park for recreational use.

Paolo Di Paolo (an objector) echoed similar sentiments adding that the application was for a private business use of a residential and recreational park. He continued that the traffic impact of the application and in particular parking provisions had not been addressed and that no tree survey had been submitted with the application.

Members raised questions about whether comparable land swap sites had been considered and the possibility of community organisations' use of the facilities within the park if the Welsh School relocated to the park. Rachel Murrell stated that officers' assessment concluded that there was limited alternative sites within the park for a land swap. She continued that Collins Lodge was considered by the Welsh School as a potential alternative site for the school but the existing building was considered inappropriate to accommodate the school. Furthermore, given its prominent location in the park, it was considered unlikely that significant extensions to Collins Lodge or a further building would be appropriate.

The following ward members addressed the Committee:

Councillor Stopp (Wembley Central) stated that he had been approached by local residents and Martin Francis (Green Party). Councillor Stopp reiterated the concerns he had expressed at the previous meeting adding that members had been presented with a false choice that there was no alternative to King Edward VII Park site for the Welsh School. In his view the site would be inappropriate.

Councillor Hossain (Preston) stated that she had received emails from residents. Councillor Hossain reiterated concerns expressed by Councillor Stopp and added that the application would aggravate the parking problems in the area.

Councillor W Mitchell-Murray (Wembley Central) stated that she had been approached by residents. She added that the security concerns raised by the Metropolitan Police Crime Officer had not been addressed and that the application would give rise to parking and traffic problems in the area.

Gwyn Richards (applicant) stated that in excess of 150 sites were considered for relocation of the Welsh School and apart from King Edward VII Park, they were all considered inappropriate. He added that the grant of planning permission would facilitate community use of the park without denying the Bowling Club its use.

In response to members' questions, the applicant submitted that the application would not give rise to car parking problems as only 10 car journeys involving drop off only were envisaged. He added that the pupils would be supervised by parents and carers at a pupil teacher ratio of 1:7 for security. He continued that the Welsh School had been excluded from the emerging master plan of the Stonebridge regeneration area and as a charity, would not be able to afford the market rent for buildings on the open market.

In the ensuing discussions, members expressed views that King Edward VII Park would be an inappropriate site as it would have an adverse impact on the community. In general they felt that the application failed to comply with Policy CP18 of the Core Strategy which sought to protect public open spaces and would thus result in the loss of a facility for a use that was not directly related to the wider use of the park or meet specific local needs. Members also expressed a view for the Council to work closely with the Welsh School with a view to identifying a suitable alternative site.

DECISION: Refused planning permission for the following reasons- failure to comply with Policy CP18 of the Core Strategy which seeks to protect public open space and results in the loss of a facility for a use not directly related to the wider use of the park or meet specific local needs.

Voting on the amended motion for refusal was recorded as follows;

FOR: Councillors Marquis, Colacicco, Agha, Filson, Hylton and Kansagra	(6)
AGAINST: None	(0)
ABSTENTION: Councillor Mahmood	(1)

4. Yellow Car Park, Fulton Road, Wembley (Ref. 14/4573)

PROPOSAL: Proposed erection of theatre (Use Class *Sui Generis*) on corner of Fulton Road and Olympic Way incorporating a restaurant, foyer, bar area, back of house facilities, and associated landscaping, bicycle parking and ancillary works for a temporary period of 10 years.

RECOMMENDATION: Grant planning permission subject to conditions listed after paragraph 75 of the remarks section of the main report.

With reference to the supplementary report, Rachel Murrell (Area Planning Manager) responded to the queries raised at the site visit. Members heard that further images for design, appearance and materials had been submitted confirming the quality of the building. She added that Community Infrastructure Levy (CIL) would become payable if permanent permission was granted. In respect of highways improvements to Olympic Way/Fulton Road she stated that as the crossing was part of the adopted highway and controlled by the Council, Transportation had been looking into various options including the possibility of reducing the speed limit along that part of Fulton Road to 20 mph, narrowing of the road and the provision of a pelican crossing. The application submission demonstrated that the proposed theatre was unlikely to result in a significant change to the traffic and parking demand. It was noted that Quintain were willing to fund the suggested improvements to the road layout.

The Area Planning Manager informed the Committee that a solar study had been submitted to show that the level of overshadowing would be relatively limited between the spring and autumn equinox. The Council's Safer Streets' officers had confirmed that the proposal was unlikely to result in noise nuisance, providing the insulation achieved or exceeded the minimum levels set out in the main reports. Members also heard that the capacity of disabled seating had been increased to 14. The Area Planning Manager then referred to a request by the MET Police that conditions be added to the consent regarding measures that may be required to ensure that the proposed development was suitably resilient to terrorism. Accordingly she recommended that an additional condition be attached to the consent requiring the submission and approval of details relating to the resilience to terrorism.

Harvey Goldsmith (applicant) and Paula Carney (agent) addressed the Committee. Members were informed that the proposed theatre would provide state of the art facilities which would attract in excess of 360,000 national and international visitors. In addition to employment the proposal would provide training and educational opportunities. It was anticipated that construction of the theatre would commence in April 2015.

Members then raised a number of questions including the application for a temporary (rather than a permanent) planning permission, disabled persons seating capacity, level of acoustics, payment of London Living Wage and employment of local persons and sustainability measurers. In response to the above, the applicant stated that Quintain (landowners) had provided him with a 10 year lease for the site with a possibility of an increase. He confirmed that the seating spaces for the disabled would be fourteen (14) which would be in excess of requirement and more than most theatres in the West End. The agent added

that robust acoustics testing had been carried out to ensure that the theatre performances could run concurrently with Wembley National Stadium events. She continued that in addition to the conditions on materials, adequate sustainability measures would be put in place including the siting of solar panels to minimise any overshadowing that could result.

In welcoming the application, members added a further condition or a legal agreement for securing local employment initiatives.

DECISION: Granted planning permission as recommended and an additional condition or legal agreement for securing local employment initiatives.

5. 18 Neasden Lane and 450 High Road, London, NW10 (Ref. 14/4254)

PROPOSAL: Demolition of existing Vicarage and yard, and erection of a part 5, part 6-storey building comprising a ground floor commercial unit (Use Class B1) (50sqm) and 47 residential flats (18 x 1 bed, 17 x 2 bed, 11 x 3 bed and 1 x 4 bed) with associated car, cycle and motorbikes spaces, landscaping, new metal railing fence and amenity space.

RECOMMENDATION: Grant planning permission subject to conditions listed after paragraph 44 of the main report and completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer.

With reference to the supplementary report, Andy Bates (Area Planning Manager) clarified queries raised at the site visit. In respect of localised flooding and drainage he stated that under a Section 106 agreement, the applicant would be required to ensure that the development complied with the Code for Sustainable Homes level 4; the current site rainfall run-off rate must be maintained. He added that in terms of the threat of flooding from rivers or other watercourses, the site was located in an area of Flood Risk level 1, where the threat of flooding was at its lowest. He clarified the separation distances between the site and the adjacent Ebony Court. Andy Bates continued that the density level would be 542 hr/ha and although higher than the level in the London Plan, the PTAL in this part of the Borough is likely to rise to PTAL4 in the future as public transport improvements come forward and in the event that these take place then a density up to 700 hr/ha would be appropriate in this location. The proposed development is considered acceptable within this context.

In respect of the boundary treatment between the site and the Magistrates Court, the Area Planning Manager informed the Committee that the submitted plans and design and access statement suggested that it would be treated with a 2.5m high perforated metal fence with hedge planting along the inner edge. He continued that as the detailed design of the fence had not been included as part of the submission it would be subject to a condition requiring the submission of further details of all landscaping proposals, including boundary treatments, for approval. He added that should the proposed fence be found to have an unacceptable appearance then a more sympathetic boundary treatment could be negotiated to

discharge the condition. He continued that there was no information on potential tenants for the commercial units. He then drew members' attention to amendments to the tenure split on the proposed affordable housing: shared ownership 74%; affordable rent 26% and the revised floor plan identifying a 3-bed unit. These amended condition 2.

Nick Sutton (applicant's agent) informed members that the height of the proposal had been reduced to a 6 storey building incorporating forty seven (47) flats which accorded with relevant planning policies in terms of design and density. He reiterated the comments made by the Area Planning Manager on the boundary treatment with the Magistrates Court with further details to be submitted as recommended in condition 9. The applicant's agent confirmed that the potential tenant for the commercial unit would be a charitable organisation and that the affordable housing would be managed by a Registered Social Landlord (RSL).

In response to members' questions, the applicant's agent stated that as the area had a high PTAL rating, car parking spaces had been reduced, however, all private units would be sold with car parking spaces and a contribution would be made for Car Club in the area. He added that waste collection would not be an issue, a view that was also expressed by the Head of Planning who added that the Council's Transportation officers were satisfied with the arrangements for waste collection.

DECISION: Planning permission granted subject to conditions as recommended and as amended in condition 2.

6. Any Other Urgent Business

None.

The meeting closed at 9.35 pm

S MARQUIS
Chair

EXTRACT OF THE PLANNING CODE OF PRACTICE

Purpose of this Code

The Planning Code of Practice has been adopted by Brent Council to regulate the performance of its planning function. Its major objectives are to guide Members and officers of the Council in dealing with planning related matters and to inform potential developers and the public generally of the standards adopted by the Council in the exercise of its planning powers. The Planning Code of Practice is in addition to the Brent Members Code of Conduct adopted by the Council under the provisions of the Local Government Act 2000. The provisions of this code are designed to ensure that planning decisions are taken on proper planning grounds, are applied in a consistent and open manner and that Members making such decisions are, and are perceived as being, accountable for those decisions. Extracts from the Code and the Standing Orders are reproduced below as a reminder of their content.

Accountability and Interests

4. If an approach is made to a Member of the Planning Committee from an applicant or agent or other interested party in relation to a particular planning application or any matter which may give rise to a planning application, the Member shall:
 - a) inform the person making such an approach that such matters should be addressed to officers or to Members who are not Members of the Planning Committee;
 - b) disclose the fact and nature of such an approach at any meeting of the Planning Committee where the planning application or matter in question is considered.
7. If the Chair decides to allow a non-member of the Committee to speak, the non-member shall state the reason for wishing to speak. Such a Member shall disclose the fact he/she has been in contact with the applicant, agent or interested party if this be the case.
8. When the circumstances of any elected Member are such that they have
 - (i) a personal interest in any planning application or other matter, then the Member, if present, shall declare a personal interest at any meeting where the particular application or other matter is considered, and if the interest is also a prejudicial interest shall withdraw from the room where the meeting is being held and not take part in the discussion or vote on the application or other matter.
11. If any Member of the Council requests a Site Visit, prior to the debate at Planning Committee, their name shall be recorded. They shall provide and a

record kept of, their reason for the request and whether or not they have been approached concerning the application or other matter and if so, by whom.

Meetings of the Planning Committee

24. If the Planning Committee wishes to grant planning permission contrary to officers' recommendation the application shall be deferred to the next meeting of the Committee for further consideration. Following a resolution of "minded to grant contrary to the officers' recommendation", the Chair shall put to the meeting for approval a statement of why the officers recommendation for refusal should be overturned, which, when approved, shall then be formally recorded in the minutes. When a planning application has been deferred, following a resolution of "minded to grant contrary to the officers' recommendation", then at the subsequent meeting the responsible officer shall have the opportunity to respond both in a further written report and orally to the reasons formulated by the Committee for granting permission. If the Planning Committee is still of the same view, then it shall again consider its reasons for granting permission, and a summary of the planning reasons for that decision shall be given, which reasons shall then be formally recorded in the Minutes of the meeting.

25. When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the Minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting, or where in the Chair's view it is not then possible to formulate planning reasons for refusal, the application shall be deferred for further consideration at the next meeting of the Committee. At the next meeting of the Committee the application shall be accompanied by a further written report from officers, in which the officers shall advise on possible planning reasons for refusal and the evidence that would be available to substantiate those reasons. If the Committee is still of the same view then it shall again consider its reasons for refusing permission which shall be recorded in the Minutes of the Meeting.

29. The Minutes of the Planning Committee shall record the names of those voting in favour, against or abstaining:
 - (i) on any resolution of "Minded to Grant or minded to refuse contrary to Officers Recommendation";
 - (ii) on any approval or refusal of an application referred to a subsequent meeting following such a resolution.

STANDING ORDER 62 SPEAKING RIGHTS OF THE PLANNING COMMITTEE

- (a) At meetings of the Planning Committee when reports are being considered on applications for planning permission any member of the public other than the applicant or his agent or representative who wishes to object to or support the grant of permission or support or oppose the imposition of conditions may do

so for a maximum of 2 minutes. Where more than one person wishes to speak on the same application the Chair shall have the discretion to limit the number of speakers to no more than 2 people and in so doing will seek to give priority to occupiers nearest to the application site or representing a group of people or to one objector and one supporter if there are both. In addition (and after hearing any members of the public who wish to speak) the applicant (or one person on the applicant's behalf) may speak to the Committee for a maximum of 3 minutes. In respect of both members of the public and applicants the Chair and members of the sub-committee may ask them questions after they have spoken.

- (b) Persons wishing to speak to the Committee shall give notice to the Democratic Services Manager or his representatives prior to the commencement of the meeting. Normally such notice shall be given 24 hours before the commencement of the meeting. At the meeting the Chair shall call out the address of the application when it is reached and only if the applicant (or representative) and/or members of the public are present and then signify a desire to speak shall such persons be called to speak.
- (c) In the event that all persons present at the meeting who have indicated that they wish to speak on any matter under consideration indicate that they agree with the officers recommendations and if the members then indicate that they are minded to agree the officers recommendation in full without further debate the Chair may dispense with the calling member of the public to speak on that matter.

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Planning Committee Map

Site address: Ark Academy Primary and Secondary School, Forty Avenue, Wembley, HA9 9JR

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This map is indicative only.

RECEIVED: 19 January, 2015

WARD: Barnhill

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: Ark Academy Primary and Secondary School, Forty Avenue, Wembley, HA9 9JR

PROPOSAL: Construction of a two storey building on the northeastern part of the site to provide a sixth form centre containing a main reception, classrooms, study room, dining space and performance hall together with associated hard/soft landscaping improvements, including a natural habitat landscaped area, and service access.

APPLICANT: Mace (on behalf of Ark Schools)

CONTACT: Surface to Air

PLAN NO'S:
Refer to Condition 2

RECOMMENDATION

Grant Consent subject to conditions listed after paragraph 28 of the *Remarks* Section.

CIL DETAILS

This application is not liable to pay Community Infrastructure Levy (CIL) as the proposal is for an education use.

CIL Liable?

Yes/No: No

EXISTING

The application site contains the Ark Academy Primary and Secondary School, located on the corner of Bridge Road and Forty Avenue. The school is on the site is the former Wembley Park Sports Ground. Planning permission was granted on 4 June 2009 (LPA Ref: 08/2842) for "New school academy (6 forms of entry secondary school, 2 forms of entry primary school & nursery) comprising 2-, 3- and 4-storey main school building, 2-storey sports/drama hall with changing facilities, 3 hard play areas, all-weather, floodlit sports pitch, smaller floodlit sports pitch, outdoor play areas, soft play/natural habitat landscaped area, 45 staff-parking spaces, 3 disabled-parking spaces, 102 cycle-parking spaces and associated landscaping with access from Forty Avenue and Bridge Road".

The Ark Academy opened in 2010. It is an all-through academy school with two forms of entry (60 pupils per year) in the primary school and six forms of entry (180 pupils per year) in the secondary school. At full capacity, the Academy is designed to accommodate 1,622 pupils (aged 3-18) comprising 52 part-time nursery places, 420 primary places, 900 secondary places and a 250 place sixth form.

The north eastern corner of the site is designated as a Borough Grade II Site of Nature Conservation Importance. The whole of the school site is also sited within the boundaries of the Wembley Growth Area.

DEVELOPMENT SCHEDULE

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain
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assembly and leisure	0	0	0	0
businesses / research and development	0	0	0	0
businesses and light industry	0	0	0	0
businesses and offices	0	0	0	0
drinking establishments (2004)	0	0	0	0
financial and professional services	0	0	0	0
general industrial	0	0	0	0
hot food take away (2004)	0	0	0	0
hotels	0	0	0	0
non-residential institutions	0	0	893	
residential institutions	0	0	0	0
restaurants and cafes	0	0	0	0
shops	0	0	0	0
storage and distribution	0	0	0	0

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	0		0	893	

Monitoring Residential Breakdown

Existing

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total

Proposed

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total

PROPOSAL

Construction of a two storey building on the northeastern part of the site to provide a sixth form centre containing a main reception, classrooms, study room, dining space and performance hall together with associated hard/soft landscaping improvements, including a natural habitat landscaped area, and service access.

HISTORY

14/3809: Details pursuant to condition 16 (light contour map of floodlighting) of full planning permission reference 10/1094, dated 13/08/2010 - Withdrawn, 19/11/2014.

E/12/0608: Enforcement investigation into the breach of condition (landscape) of p.p. 10/2165 - Further action suspended as being investigated by the landscape team.

12/1140: Non-material amendment comprising relocation of glazing and doors to line of main rear elevation of school of full planning permission 08/2842 dated 04/06/2009 - Granted, 30/05/2012.

10/2165: Details pursuant to condition 24 (proposed hard landscaping), condition 25 (landscaping scheme) and condition 26 (management and maintenance scheme to outside play areas) of full planning permission reference 10/1094, dated 13/08/2010, for variation of condition 30 of planning consent reference 08/2842, dated 04/06/2010 (as appended from condition 1 of planning consent 10/1274, granted on 18/06/2010) - Granted, 21/09/2010.

10/2141: Non material amendment for 3 additional windows to west elevation of sports hall building of full planning permission reference 08/2842 dated 04/06/2009 - Granted, 10/09/2010.

10/1655: Details pursuant to condition No 13 (Site Investigation), and 21 (verification report confirming remediation works) of Deemed (Reg4 Councils Other Development) reference 08/2842 dated 4 June, 2009 - Granted, 17/08/2010.

10/1094: Variation of Condition 30 of planning consent reference 08/2842 dated 04/06/2010 (Condition 1 of 10/1274 granted on 18/06/2010) - Granted, 16/08/2010.

10/1412: Details pursuant to conditions 18 (means of enclosure) and 19 (extract infiltration), of Deemed (Reg4 Council's Other Development) planning application reference 08/2842 - Granted, 27/07/2010.

10/1274: Minor amendments to application reference 08/2842 to attach an additional condition which specifies the drawings and documents approved within that consent - Granted, 18/06/2010.

10/0224: Details pursuant to conditions 2 (external works), and 8 (cycle parking & refuse storage) of Deemed (Reg4 Council's Other Development) planning application reference 08/2842 - Granted, 17/08/2010.

09/3267: Details required to be submitted in respect of the following conditions:

- 11 (design of sports hall and grounds to ensure access for all);
- 12 (details of proposed bird & bat roosting boxes);
- 14 (details of coach turning & parking provision);
- 17 (details of external lighting); and,
- 20 (details of floodlighting for all-weather pitch)

of planning permission reference 08/2842 - Granted, 18/12/2009.

09/1360:Details pursuant to Condition 5 (Tree Protection), Condition 7 (Breeding Bird Survey), Condition 9 (Tree Survey Details), and Condition 10 (Wheel Wash Facilities) of Deemed (Reg4 Council's Other Development) Reference No. 08/2842 Granted, 10/06/2009.

09/1362 - Details pursuant to condition 6 (drainage strategy) and condition 15 (surface-water drainage system) of deemed (Reg. 4: Council's other development) planning consent reference no. 08/2842 - Granted, 29/06/2009.

08/2842: New school academy (6 forms of entry secondary school, 2 forms of entry primary school & nursery) comprising 2-, 3- and 4-storey main school building, 2-storey sports/drama hall with changing facilities, 3 hard play areas, all-weather, floodlit sports pitch, smaller floodlit sports pitch, outdoor play areas, soft play/natural habitat landscaped area, 45 staff-parking spaces, 3 disabled-parking spaces, 102 cycle-parking spaces and associated landscaping with access from Forty Avenue and Bridge Road, HA9 - Granted, 04/06/2009.

POLICY CONSIDERATIONS

National Planning Policy Framework

Paragraph 72 of the NPPF attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and requires Local Planning Authorities to take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

Further Alterations to the London Plan 2015

3.18 Education Facilities

Brent's Core Strategy 2010

Objective 5 - meeting social infrastructure needs
CP7: Wembley Growth Area

Brent's UDP 2004

BE9: Architectural Quality
BE12: Sustainable Design Principles
BE33: Tree Preservation Orders
EP2: Noise & Vibration
EP3: Local Air Quality Management
CF8: School Extensions
TRN22: Parking Standards - Non Residential Developments
PS12 - Non-Residential Institutions

Wembley Area Action Plan

CONSULTATION

Consultation Period: 20/01/2015 - 10/02/2015

Site Notice: 21/01/2015 - 11/02/2015

138 neighbours consulted - one comment received from a local resident and member of the Wembley History Society, who has commented that the ecological assessment has not made reference to the historic significance of the remaining woodland.

External Consultation

Barn Hill Residents Association - Objections are raised due to the concerns set out below:

- Need to preserve the remainder of the original planting layout designed by the famous landscape gardener, Humphry Repton.
- Increased traffic congestion in the area made worse by more recent developments including Asda (and the petrol station at Asda), the Michaela school, and new blocks of flats along Forty Avenue, and the soon-to-open French Lycee. An overall assessment of the wider traffic congestion should be considered and assessed by the Council.
- School already exceeded maximum capacity and up to date Travel Plan not provided.
- Concerns raised with the loss of protected trees on site.
- Improved screen planting to be provided along Forty Avenue.
- Light spillage from building could impact on protected species such as bats
- Out of hours use of sixth form block could impact on nearby residential properties.
- Sustainable drainage measures to be considered.
- Unisex toilets not appropriate.

London Underground Limited - No objections raised.

Internal Consultation

Landscape Team and Tree Protection Officer- Generally supportive of the proposal subject to further consideration of the following:

- Details of the proposed compound/storage area to be provided.
- Scheme to not result in the loss of any of the medium sized trees (Ash) currently fitted with bat boxes to the immediate east of the proposed site.
- The loss of saplings that would fall within the footprint of proposed build would be acceptable as would the loss of failed landscape planting from the original school application, which is required to be re-located elsewhere within the site.
- A detailed landscape plan to include the management and enhancement of the existing woodland potentially as an educational resource would need to be submitted. The woodland management plan could look at veteranisation techniques such as pollarding and coppicing on some of the trees along with the management of dead and dying Elm.
- This would be a good opportunity to bolster the screen planting between the school and Forty Avenue. A number of native hedging/tree species could be used and planted at a reasonably advanced size. A full management plan would need to accompany any landscape plan.

Transportation - No objections on transportation grounds to this proposal, on the basis that the proposal is not intended to result in any increase in staffing or pupil numbers.

Environmental Health - No objections raised subject to appropriate conditions on noise levels and air quality measures.

REMARKS

Introduction

1. This application seeks planning permission for a two storey building on the northeastern part of the site to provide a sixth form centre containing a main reception, classrooms, study room, dining space and performance hall together with associated hard/soft landscaping improvements, including a natural habitat landscaped area, and service access. This report will discuss the planning considerations of the proposal including the need for the sixth form block, the design of the building, impact on the site of Grade II Borough Nature Conservation Importance and protected trees and impact on the adjoining highway.

Need for the sixth form block

2. The original planning permission secured a 250 place sixth form department within the Ark Academy. The sixth form was to be primarily accommodated at third floor level within the main teaching block, where there are four dedicated classrooms and one larger study space area. The design brief and accommodation schedule formulated for the school was prepared seven years ago and was influenced by the various curriculum modelling undertaken to determine the overall space requirements at the time.

3. The school is now operating at capacity and the curriculum structure has had to evolve and adapt in the subsequent period so that it best meets the needs of the current school population. The evolution in the structure of the school when taken together with changes to the National Curriculum and the popularity of subjects requiring specialist facilities such as drama, art and science means that the school is not currently able to accommodate 250 sixth form students and give them the required breadth of A level subject matter. The original planning permission would not have been able to foresee these changes in circumstances and there is no spare classroom capacity elsewhere within the school to help accommodate this requirement. As a result, the sixth form is operating at a reduced capacity and the school can not currently accept the full amount of admissions intended under the terms of the original planning permission. To address this shortage in providing space for the sixth form students and the school more generally, a dedicated sixth form block is proposed within the north eastern corner of the site.

Sitting and Design of the New Building

4. The proposed sixth form centre is to be a separate stand alone building located on the north eastern corner of the site. This area of the school is designated as a site of Grade II Borough Importance for Nature Conservation. The ecological considerations are discussed further below within this report. Prior to choosing this location of the new sixth form centre, the school did consider other options for its location, but none of these were considered suitable or feasible options. These options included looking at alternative locations within the school site which were found to be unsuitable due to existing outdoor and recreation requirements, and extending at roof top level.

5. The proposed building is to be two storeys high, measuring approx. 31m long and 20.7m wide reducing in width to 15.4m on its western side. In terms of the scale of the new sixth form block, it has been designed to be subservient to the main school building. It is two storeys high whereas the main school building is three storeys high with projecting roof elements. Due to the level changes between Forty Avenue and the school site (Forty Avenue is approx. 3m higher than the levels within the school site), when viewed from Forty Avenue, the new sixth form block will read as just over one storey.

6. The building has been sited over 78m away from the boundary with Bridge Road. This boundary contains the category A trees. A distance of between 9.3m to 16m is maintained to the Forty Avenue frontage. Whilst this will result in a building that comes forward of the main building line of the existing school buildings when viewed from Forty Avenue, a similar approach has been followed at the neighbouring site at 100 Forty Avenue where a two storey front extension to the building maintained a distance of 8m to 10m to the Forty Avenue frontage (LPA Ref: 09/1835). The proposed set in from the Forty Avenue frontage will allow for new planting to be provided along the boundary, to assist in screening the new sixth form block from Forty Avenue.

7. The new sixth form centre is to be in render to reflect the materials of the main school building. Largely proportioned windows are proposed on the northern and southern elevations to assist in breaking up the massing of the building. The glazing is to be in aluminium frames and finished in grey to reflect the main school building.

8. The layout of the building has been designed to contain a dining area at ground floor and a double height performance space. Two classrooms are proposed at ground level and an IT room. Four classrooms and a study area is proposed at first floor level. The proposed internal layout has been designed to meet the needs of the school. A summary of the key spaces are set out below:

- Provision of a dedicated cafe/dining hall space - the current dining hall for the school can not cater for the sixth form requirements until after 2pm owing to the existing utilisation of the space by the remainder of the school.
- Flexible hall/performance space to provide for sixth form drama and some Key Stage 4 Drama, sixth form assemblies, talks, examinations and additional PE space.
- Additional computer room to enable the school to meet the core curriculum requirement for ICT in Key Stage 3

9. Access to the sixth form centre will be via the main school entrance. The school has confirmed that there will be no pedestrian access from the Forty Avenue entrance. Access to the car park is regulated and confined to key card holders only with parking rights in the car park.

Ecological considerations

Impact on protected trees within the site

10. All trees on the development site are subject to statutory protection by a Tree Preservation Order (Ref: 07/00037) dated 9 October 2007. A TPO makes it an offence to cut down, top, lop, uproot, willfully damage or willfully destroy a tree protected by that order without the local planning authority's permission. This planning application is accompanied by an Arboricultural Implication Assessment that refers to trees within the site and the impact of the proposed sixth form centre upon these trees.

11. The trees that were surveyed included 31 individual trees, 10 groups and 1 hedge. These include a number of category 'A' and 'B' trees of high amenity value located along the northern and eastern boundaries, which include T7 & T14 Oak Trees. The remaining wooded copse/group of trees in the eastern half of the site provide not just amenity value as a self sown block of trees but also high ecological value. All of these trees are to be retained and tree protection measures provided on site during construction. The new sixth form block will result in the removal of one 'B' Category and one 'C' Category tree and three 'U' Category tree groups. Four newly planted trees, T28-T31, are sited within or close to the footprint of the new building, but can be relocated elsewhere either within the woodland to the east of the new building or to enhance the planting along the northern boundary.

12. The Tree Protection Officer has advised that the loss of the trees detailed above is acceptable. New tree planting and landscaping is proposed within the site to offset the loss of these trees and to enhance the ecological value of the site. The Arboricultural Implication Assessment is also proposing a Woodland Management Plan for the remaining trees and wooded areas within the site. It is recommended that the details of the Woodland Management Plan are conditioned to any forthcoming consent. This Woodland Management Plan could look at techniques such as pollarding and coppicing some of the trees along with the management of dead and dying Elm.

13. A site plan has been provided that shows the location of the construction compound. This is located where the existing bin store is and accessed from the existing car park. The Tree Protection Officer has advised that the location of the compound is acceptable. It is recommended that a condition is secured for details to be provided of the temporary location of the refuse facilities during the construction period, together with a construction management plan.

Impact on Site of Grade II Borough Importance for Nature Conservation (SINC)

14. The application site contains the Wembley Park Wood SINC. The woodland is described as "A relic of one of the woodland belts planted by Humphrey Repton in the 1790s when he landscaped the Wembley Park Estate" (P.24 (Longley, 2014)). The site is further described as open canopy woodland with native species and standing deadwood and grassland. The site is of moderate to high ecological value in a local context, and it also has historic/cultural significance as the only surviving area of Humphrey Repton's Wembley Park Landscape, the majority of which was removed in 1920s to accommodate the British Empire exhibition. Some of the larger oak trees and the elm suckers may be remnants of the original 1790s planting, and will be retained as part of this application.

15. The area where the new sixth form centre is proposed is within a poorer semi-improved grassland area, which is of low ecological value. The ecological assessment has considered the impact of the proposal upon protected species. A bat survey was undertaken in June 2014, which concluded that there was limited evidence of bat activity recorded during the June 2014 survey. The ecological assessment recommends the inclusion of bat roosting features to be incorporated within the new building and roosting and foraging features within the new landscape planting to be considered. The ecological report also recommends that

clearance of trees and shrubs and removal of bird boxes should be times to avoid the nesting season, and if it is necessary to clear nests at other times of the year that it is inspected by a suitably experienced ecologist.

16. The ecological assessment also recommends a number of biodiversity enhancements including new native tree and shrub planting, traditional management of retained trees and ecological management plan that contributes to local biodiversity and education objectives.

17. A landscape strategy has been prepared that includes three landscaped zones within the site including enhanced screen planting along the northern boundary, amenity landscape including a possible wild flower meadow and sitting out area next to the new building, and enhancement of the existing woodland. The Tree Protection Officer has reviewed the proposed landscape plans for the site and find the landscape plans to be generally acceptable. They have suggested that some changes are made such as the removal of gooseberries and rhubarb in zone B, to relocate Scots Pine from zone C to zone A, as it will find it hard to establish with lower light levels in wooded area, and to remove Birch from Zone C and replace with Holly and willow. Willow can be coppiced as under-storey. It is recommended that full details of the landscape planting and management plan are conditioned to any forthcoming consent.

18. The school is intended to use the outdoor area as an education resource both for the primary school and secondary school.

Noise considerations

Internal environment within new sixth form centre

19. The new sixth form centre will be located close to Forty Avenue which is a busy road and has potential for noise nuisance. School buildings are required to comply with the regulatory framework set out in Building Bulletin 93 (Acoustic Design of Schools). To meet the required education environment, only the entrance/dining space and classrooms 4 & 5 can be naturally ventilated. The remaining rooms are required to be mechanically ventilated. It is recommended that the conclusions of the Noise Impact Assessment are conditioned to any forthcoming consent.

Consideration on existing school building and neighbouring residential occupiers

20. The Noise Impact Assessment states that the breakout noise from the performance hall would be some 10dB below the lowest measured background noise level during the school period, so there will not be any significant detrimental impact arising to local residents from the future use of this space. This also applied to the predicted noise levels at the windows of the existing classrooms and the external noise levels in the evening. Once again, it is recommended that the conclusions of the Noise Impact Assessment are conditioned to any forthcoming consent.

Sustainability

21. As the floorspace of the new building is less than 1000sqm, there is no policy requirement for the new building to achieve the sustainability requirements set out in the London Plan or Brent's Core Strategy. However, the new building has been designed to follow sustainable design principles, and a BREEAM Pre-Assessment has been submitted which indicates that the new building will achieve BREEAM 'Very Good'. This is considered acceptable and it is recommended that these sustainability requirements are conditioned to any forthcoming consent.

Transportation Considerations

22. As discussed above, this proposal will not increase pupil or staff numbers as the proposed building is intended to provide a dedicated building specifically for sixth form students. The number of sixth form pupils will remain at 250. Officers in Transportation have advised that they do not raise any objections on transportation grounds as the proposal will not lead to any increase in trips to and from the site over and above those previously assessed. It will also not result in any alterations to proposed access, parking or servicing arrangements.

23. The school currently operates a Travel Plan which has achieved a Bronze award in TfL's School Travel Plan accreditation system, which is recognised and welcomed. Survey results show that the proportion of pupils travelling to the school by car has fallen from 32% to 25% between 2008 and 2014.

Community Access

24. The school currently has a Community Access Plan that allows community access to its current facilities outside of normal school hours, including at weekends. The school is proposing to also allow the use of the performance hall for use by the wider community outside of school hours. It is recommended that further details of the proposed community access of the sixth form centre and how it will relate to current community access arrangements is to be conditioned to any forthcoming consent.

Flooding considerations

25. The site is not located within a Flood Risk Zone, so a Flood Risk Assessment has not been submitted. Consideration has been given to sustainable drainage (SuDS). SuDS is a range of methods, the use of which are intended to mimic natural rainfall runoff characteristics, both in terms of discharge rates and water quality, in an effort to minimise the risk of downstream flooding and contamination. Typical methods that may be employed are:-

- Flow attenuation, which may be provided in above or below ground tanks, or above ground ponds or swales.
- Permeable paving, which can reduce the ingress of silt the drainage system and consequently the discharge of silt to public sewer. Permeable paving can also trap heavy metals, and treat minor oil spills. Another advantage of permeable paving from a sustainability perspective is that the porous sub base can be used to attenuate volumes of water. Furthermore, the percolation of water through the sub base to the piped below ground drainage system is typically slower than from a traditional linear drain/gully and piped system. This provides for a slower discharge of water from a development site and adheres to the philosophy of Source Control (restricting discharge as close to the point at which the water falls as is practicable).

26. For this the proposed development at the Ark Academy it is proposed the use of Hydrobrake flow control devices within two of the manholes, in order to limit the flow of surface water to the existing site wide drainage system. Any additional water that is held back will be stored below ground in cellular storage attenuation crates, and within the sub base of the permeable paving. It is proposed that permeable paving will be provided to much of the external areas.

27. The use of other SuDS techniques, such as swales, ponds, green roofs, bioretention areas have been consider by have been found to be impracticable for the proposed development, in terms of prospective land take, pupil safety, cost and the feasibility of connecting to the existing drainage infrastructure by gravity.

Response to objections/comments raised

<u>Comment</u>	<u>Response</u>
<p>Need to preserve the remainder of the original planting layout designed by the famous landscape gardener, Humphry Repton.</p> <p>Increased traffic congestion in the area made worse by more recent developments including Asda (and the petrol station at Asda), the Michaela school, and new blocks of flats along Forty Avenue, and the soon-to-open French Lycee. An overall assessment of the wider traffic congestion should be considered and assessed by the Council.</p> <p>School already exceeded maximum capacity and up to date Travel Plan not provided.</p>	<p>Consideration of the original planting layout and ecological significance of this planting has been discussed in paragraph 14 above</p> <p>As discussed in paragraph 22 above, as this proposal does not propose to increase pupil numbers, a revised transport assessment is not required.</p> <p>It is unclear where reference is made to the school already exceeding capacity. This application does not propose to increase pupil numbers beyond the maximum figures considered as part of the original planning permission.</p> <p>The School Travel Plan was reviewed in 2014 and achieved a Bronze award in TfL's School Travel Plan accreditation system</p> <p>A number of trees are proposed to be removed to facilitate this development. These trees are considered to be of low value and their removal has been accepted</p>
<p>Concerns raised with the loss of protected trees on site.</p>	<p>A number of trees are proposed to be removed to facilitate this development. These trees are considered to be of low value and their removal has been accepted</p>

Improved screen planting to be provided along Forty Avenue.

Light spillage from building could impact on protected species such as bats

Out of hours use of sixth form block could impact on nearby residential properties.

Sustainable drainage measures to be considered.

Unisex toilets not appropriate.

by the Council's Tree Protection Officer. The application is proposing new native tree and shrub planting, particularly along the northern boundary, which will enhance the biodiversity value of the site. Please refer to paragraphs 10 to 14 for further information. New screen planting is proposed along Forty Avenue.

The Ecological Assessment has considered the impact of the development upon protected species including bats. Please refer to paragraph 15 above.

The impact of noise upon nearby residential properties has been considered and discussed in paragraph 20 above.

Sustainable drainage measures have been considered. This is discussed in paragraphs 25 to 27 above

This is a design matter to be considered by the school.

Conclusions

28. In conclusion, the proposed sixth form centre has been designed to be sited to have minimal impact on the Site of Grade II Borough Importance for Nature Conservation. The design and scale of the building is appropriate in terms of the relationship with the street and the existing academy building. The new sixth form centre will provide much needed accommodated for the school to allow them to fulfil their education requirements.

Approval is accordingly recommended.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

(1) The proposed development is in general accordance with policies contained in the:-

National Planning Policy Framework
Further Alterations to the London Plan 2015
Brent Core Strategy 2010
Brent Unitary Development Plan 2004

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation
Community Facilities: in terms of meeting the demand for community services

CONDITIONS/REASONS:

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

481-S2A-A-X-X-DR PL001 Rev P01 Location Plan

481-S2A-A-X-X-DR PL010 Rev P01 Existing Ground Floor Plan
481-S2A-A-X-00-DR PL110 Rev P01 Proposed GA Plan Level GF
481-S2A-A-X-01-DR PL110 Rev P01 Proposed GA Plan Level 01
481-S2A-A-X-X-DR PL100 Proposed Site Plan
481-S2A-A-X-RF-DR PL102 Proposed GA Roof Plan
481-S2A-A-X-X-DR PL200 Proposed Site Sections
481-S2A-A-X-X-DR PL301 Proposed Elevations
481-S2A-A-X-X-DR PL300 Proposed Site Elevations
481-S2A-A-X-X-VF PL500 Rev P01 Proposed Visualisations

L-1384-GAP-001 Rev 02 Landscape Masterplan
L-1384-PRP-001 Rev 03 Landscape Zonal Plan
L-1384-PRP-002 Rev 03 Ecology Strategy
L-1384-PRP-005 Rev 02 Planting Strategy

L-1384-SKT-001 Rev 01
L-1384-SKT-002 Rev 01

Extended Phase 1 Ecological Survey and Bay Survey of Land at Ark Academy, Wembley"
prepared by Richard Graves Associates
BREEAM Pre-Assessment
Design and Access Statement
Environmental Noise Report prepared by Pace Consult Limited
Arboricultural Implications Assessment prepared Innovation Group Environmental Service
(revised 13/03/2015)
Phase II Geoenvironmental Assessment
Planning Statement

Reason: For the avoidance of doubt and in the interests of proper planning.

- (3) The recommendations set out within the "Extended Phase 1 Ecological Survey and Bay Survey of Land at Ark Academy, Wembley" prepared by Richard Graves Associates in relation to bats and nesting birds shall be fully adhered to during all stages of construction works.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

- (4) No external lighting shall be installed on the new sixth form centre or within the landscaped area around the sixth form centre without the prior submission to the Local Planning Authority. This shall include the specification, manufacturer, lux level, model, direction and the siting of each lamp. Thereafter the lights shall be installed and operated in accordance with the details so approved.

Reason: In the interests of the Site of Grade II Borough Importance for Nature Conservation.

- (5) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) Construction traffic routes to the development site;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vi) wheel washing facilities and schedule of highway cleaning;
- (vii) measures to control the emission of dust and dirt during construction;
- (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (ix) Relocation of the refuse facilities and caretakers office during construction works

Reason: To protect residential amenity and ensure the development does not have an

adverse impact on the highway.

- (6) No works shall commence on site prior to a Tree Protection Plan following the recommendations set out in the approved Arboricultural Implications Assessment prepared Innovation Group Environmental Service (revised 13/03/201) has been submitted to and approved in writing by the Local Planning Authority. These shall include method statements and plans which:
- (i) adhere to the principles embodied in BS5837:2012
 - (ii) indicate exactly how and when the retained trees (including T7 & T14 Oak Trees), hedges and shrubs on-site or off-site near the site boundaries will be protected during the construction phases; and
 - (iii) show root-protection zones

Works shall not commence on site until the Local Planning Authority has been on site and inspected the required tree protection measures in relation to the relevant construction phase. The development shall be carried out strictly in accordance with the agreed details.

Reason: To ensure retention and protection of trees on the site in the interests of amenity.

- (7) Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- (8) Prior to commencement of works on site, further details of the following shall be submitted to and approved in writing by the local planning authority. Such details shall include drawings, including sections where appropriate, at a suitably large scale (e.g. 1:5, 1:10, 1:20, 1:50) or manufacturer's literature which show:
- (a) the window and door reveals, headers and sills, including the depth of the reveals and the junction of materials around the returns;
 - (b) the location of the external plant equipment at roof level together with details of the design and material of any screening to the external plant equipment and extract and supply ducts;
 - (c) the location of the proposed photovoltaic panels (including the size, location and orientation of the photovoltaic panels) in accordance with the sustainability measures secured as part of this development

The development shall be completed in accordance with the details so approved before the new sixth form centre is occupied.

Reason: These details are required to ensure that a satisfactory development is achieved.

- (9) Notwithstanding the submitted details otherwise approved, full details of the soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any works on site. Such landscaping work shall be completed within six months of first occupation of the sixth form centre hereby approved or by any other timetable agreed.

Such scheme shall include:

- (a) Details of all planting within Zones A to D, including species, size, density and numbers incorporating native species as recommended in the "Extended Phase 1 Ecological Survey and Bay Survey of Land at Ark Academy, Wembley" prepared by Richard Graves Associates
- (b) Details of the relocation of the newly planted trees T28 to T31
- (c) Details of bird and bat boxes as recommended in the "Extended Phase 1 Ecological Survey and Bay Survey of Land at Ark Academy, Wembley" prepared by Richard Graves Associates

- (d) Details of all areas of hard landscaping including details of Sustainable Urban Drainage principles
- (e) Details of the on going management of the landscaped areas and details of how th

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (10) Prior to commencement of works on site, further details of the woodland management plan as set out in the Arboricultural Implications Assessment prepared Innovation Group Environmental Service (revised 13/03/2015) including ongoing management and maintenance, shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan shall therefore be implemented in full accordance with the approved details.

Reason: In the interests of the site of Grade II Borough Importance for Nature Conservation

- (11) Prior to the occupation of the sixth form centre hereby approved a Community Access Plan shall be submitted to and approved in writing by the Local Planning Authority. The Community Access Plan shall provide details of community access arrangements to the sixth form centre and how this relates to wider community access within the school, and shall include details of rates of hire (based upon those charged at other public facilities), terms of access, hours of use, access by non-school users/non-members and management responsibilities.

The approved Community Access Plan shall be brought into operation within 3 months of occupation of the development and it shall remain in operation for the duration of the use of the development.

Reason: To secure well-managed, safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Local Plan Policy.

- (12) Prior to first occupation of the development hereby approved, an assessment of the noise level from any installed plant (such as air handling units, generators, ventilation/extraction systems) together with any associated ducting, achieving 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises, shall be undertaken and submitted to the Local Planning Authority for approval. The method of assessment shall be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. If the predicted noise levels of the plant exceed those specified within this condition, then a scheme of insulation works to mitigate the noise shall be included. The recommendations provided within the noise assessment together with any required mitigation measures shall be carried out in full accordance with the approved details prior to first use of the plant equipment hereby approved.

Reason: To protect that users of the surrounding area do not suffer a loss of amenity by reason of noise nuisance.

- (13) Prior to installation of any gas boilers, the applicant shall submit details of the proposed boilers and demonstrate that the emissions of oxides of nitrogen are as low as reasonably practicable for that class of boiler.

Reason: To protect local air quality.

- (14) The sixth form centre hereby approved shall not be occupied unless a review by a BRE approved independent body which verifies that the development has met or exceeded BREEAM 'Very Good' is submitted to and approved in writing by the Local Planning Authority.

If the review specifies that the development has failed to meet the above levels, compensatory measures and a schedule for implementation shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development.

Reason: To ensure a satisfactory development which incorporates sustainability measures that are commensurate to the scale of development proposed.

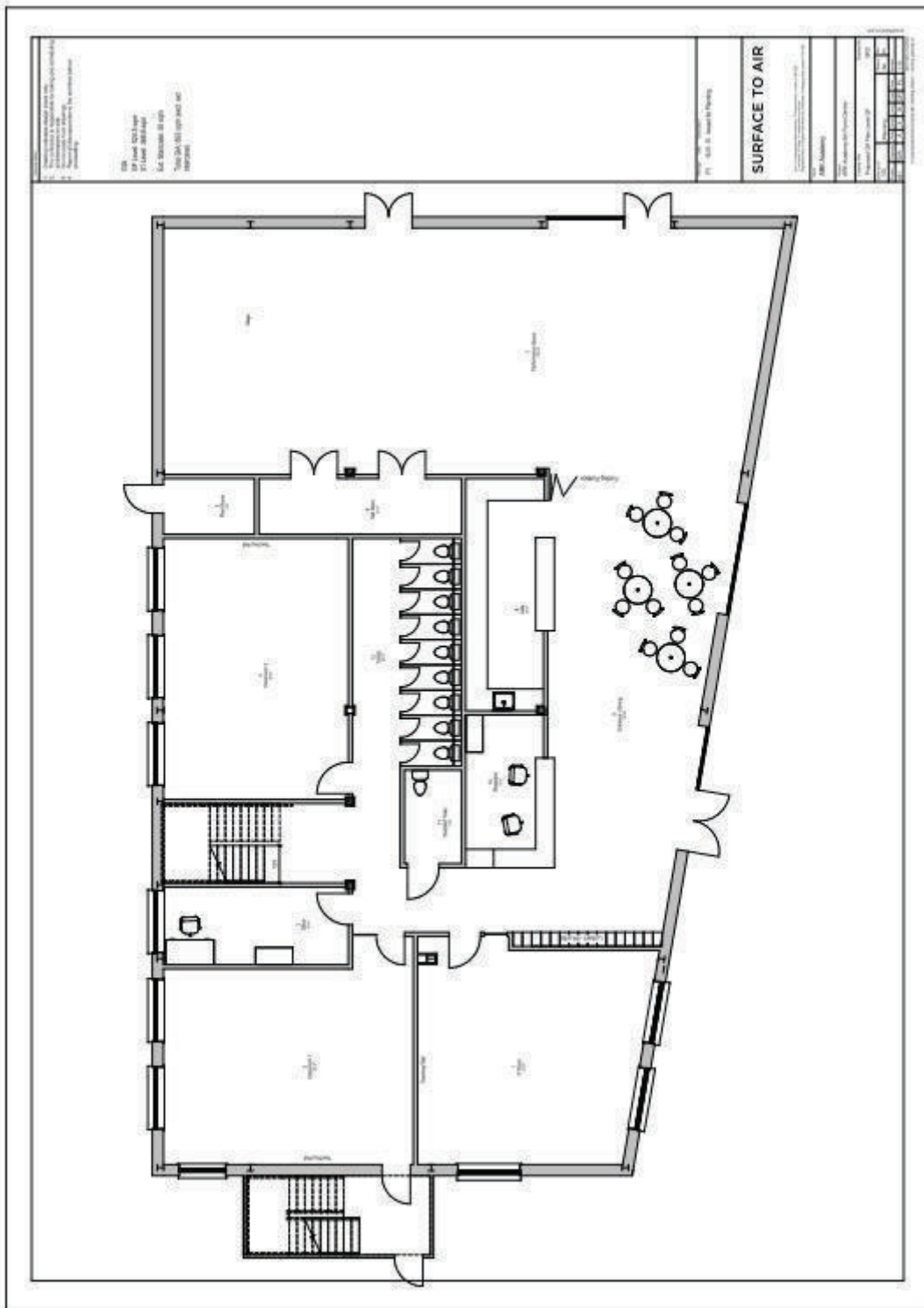
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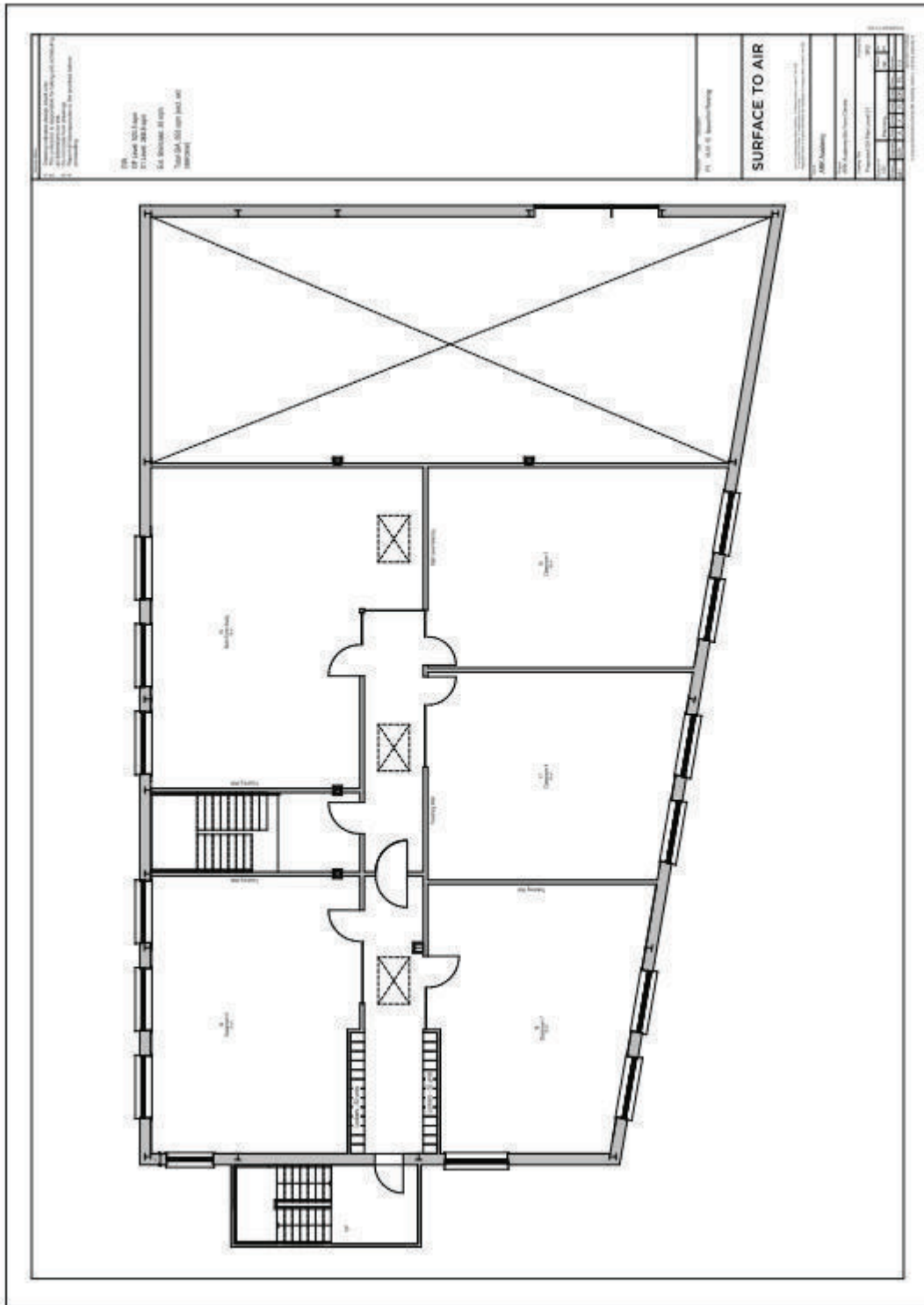
None Specified

REFERENCE DOCUMENTS:

The following extracts are some of the submitted plans. All submitted details can be viewed on the Council's website www.brent.gov.uk by searching with the application reference.









1 ARK Academy North Elevation
1:100

2 ARK Academy South Elevation
1:100

3 ARK Academy East Elevation
1:100

4 ARK Academy West Elevation
1:100

5 SURFACE TO AIR

ARK Academy
1000 Academy Rd, Fayetteville, AR 72703
Project: 1000 Academy Rd, Fayetteville, AR 72703
Scale: 1/8" = 1'-0"
Date: 10/15/2023
Author: [Name]
Checker: [Name]

1. All work shall be in accordance with the Arkansas Building Code and applicable codes of the State of Arkansas.
2. All work shall be in accordance with the Arkansas Building Code and applicable codes of the State of Arkansas.
3. All work shall be in accordance with the Arkansas Building Code and applicable codes of the State of Arkansas.
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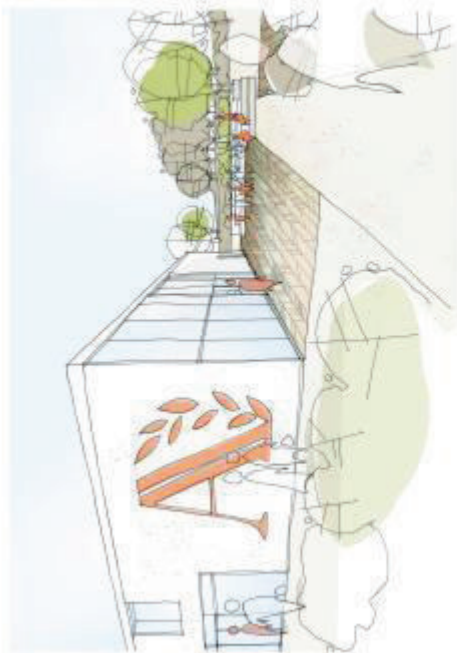
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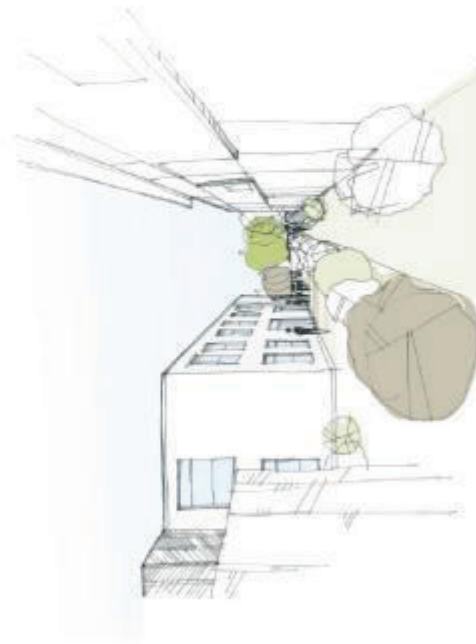
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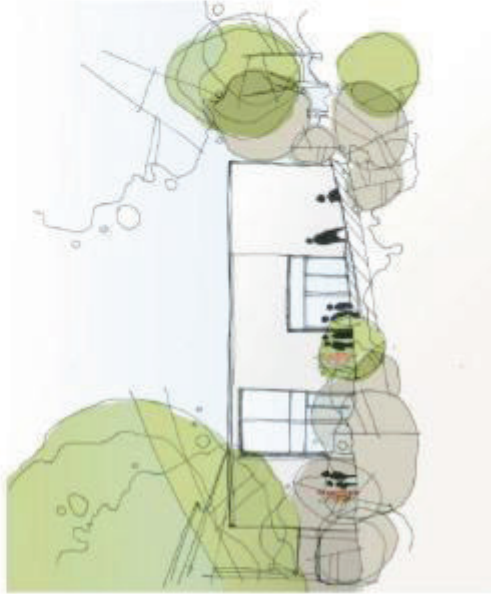
1. The building is a new addition to the existing structure.
 2. The building is a new addition to the existing structure.
 3. The building is a new addition to the existing structure.
 4. The building is a new addition to the existing structure.



1 Entrance to New Sixth Form Block and Landscaping



2 View from Existing Building




3 View from Woodland Garden

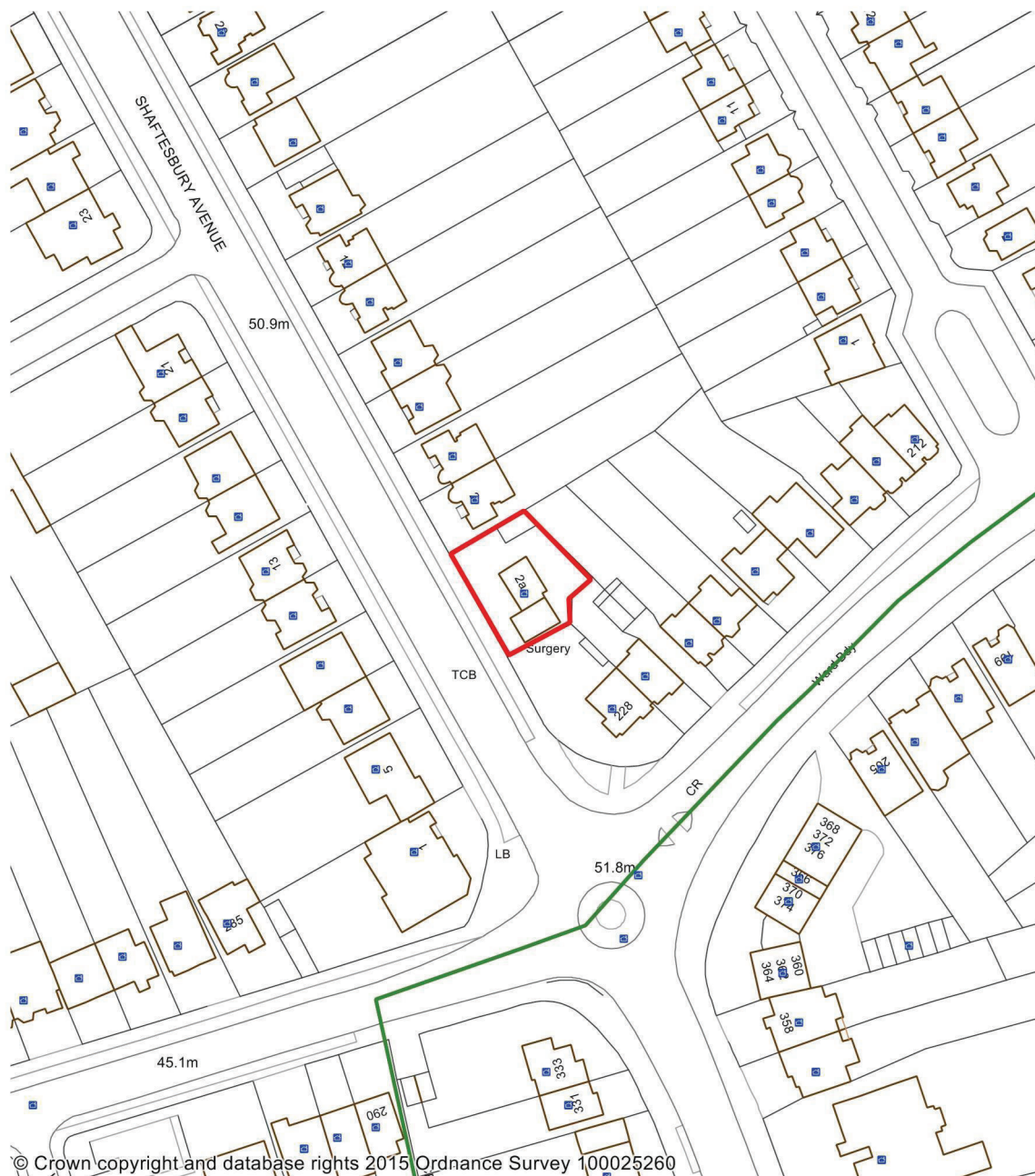
SURFACE TO AIR
 100% Supply
 2000 Supply after 1000 Supply
 1000 Supply

SURFACE TO AIR
 100% Supply
 2000 Supply after 1000 Supply
 1000 Supply

Any person wishing to inspect the above papers should contact Victoria McDonagh, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5337

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 **Planning Committee Map**
Site address: 2A Shaftesbury Avenue, Harrow, HA3 0QX
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This map is indicative only.

RECEIVED: 9 February, 2015

WARD: Kenton

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 2A Shaftesbury Avenue, Harrow, HA3 0QX

PROPOSAL: Proposed subdivision of existing plot, demolition of existing detached building, and erection of a detached single-storey 2-bedroom dwelling house with a converted loft space and basement level, on land n/t 2a Shaftesbury Avenue, with associated off-street parking, bin store and replacement sliding front gate to the frontage.

APPLICANT: Ms Fiss

CONTACT: BWS Architecture

PLAN NO'S:
(See Condition 2)

RECOMMENDATION

Approve.

CIL DETAILS

This application is liable to pay the Community Infrastructure Levy (CIL). The total amount is **£26,350.95** of which £22,426.34 is Brent CIL and £3,924.61 is Mayoral CIL.

CIL Liable?

Yes/No: Yes

EXISTING

The application site is on the eastern side of Shaftesbury Avenue, approximately 75m north of the roundabout junction with Preston Road. The site currently includes a detached two-storey dwelling with mansard roof, and at the northern end of the site is a detached single storey building set back from the Shaftesbury Avenue frontage. This single storey building was formerly used a garage, but it is understood this is now in office use. The site is on the edge of, but wholly outside of the Mount Stewart Conservation Area.

DEVELOPMENT SCHEDULE

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain
dwelling houses				98.5	98.5

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
				98.5	98.5

Monitoring Residential Breakdown

Proposed

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
Houses			1							1

PROPOSAL

Proposed subdivision of existing plot, demolition of existing detached building, and erection of a detached single-storey 2-bedroom dwelling house with a converted loft space and basement level, on land n/t 2a Shaftesbury Avenue, with associated off-street parking, bin store and replacement sliding front gate to the frontage.

HISTORY

14/3391 - Refused

Proposed subdivision of existing plot, demolition of existing detached building, and erection of detached 2-storey 3-bedroom dwelling house, including x3 rooflights and rear dormer window on land n/t 2a Shaftesbury Avenue, with associated off-street parking, bin store and replacement sliding front gate to the frontage (as amended)

Reason:-

The proposed dwelling by reason of its excessive scale and close proximity to the site boundaries and no. 2A Shaftesbury Avenue is considered to represent a cramped form of development. The resultant loss of spaciousness on this transition site on the edge of the Mount Stewart Conservation Area would be harmful to views into and out of the conservation area and detrimental to the character of the streetscene. The proposal fails to preserve or enhance the setting of the conservation area and would be harmful to the established suburban character of the general area contrary to policies BE2, BE9 and BE25 of Brent's Unitary Development Plan (2004), and Core Strategy (2010) policy CP17.

13/3784 - Granted

Retention of timber fence sections, metal gate and side railings of existing front boundary treatment; removal of polycarbonate infill and side panels on front boundary and replacement with timber sections.

13/2810 - Certificate of Lawful Development Refused

Certificate of lawfulness for existing use of detached garage as Architects office (Use Class B1).

12/0080 - Granted

The addition of a pitched roof with two rooflights to an existing flat roofed outbuilding in garden.

POLICY CONSIDERATIONS

National Planning Policy Framework 2012 (NPPF)

London Plan (2011)

Policy 3.3

Brent Core Strategy (2010)

CP2 - Population & Housing Growth

CP17 - Protecting & Enhancing Suburban Character of Brent

CP21 - A Balanced Housing Stock

Brent's Adopted Unitary Development Plan (2004)

BE2 - Townscape: Local Context & Character

BE3 - Urban Structure

BE7 - Public Realm: Streetscape

BE9 - Architectural Quality

BE25 - Development in Conservation Areas

H11 - Housing on Brownfield Sites

H12 - Residential Quality - Layout Considerations

TRN3 - Environmental Impact of Traffic

TRN23 - Parking Standards Residential Developments

PS14 - Residential Parking Standards

Supplementary Planning Guidance No.17 'Design Guide for New Development'

Mount Stewart Conservation Area Design Guide

CONSULTATION

Statutory neighbour consultation period (21 days) started on 16/02/15, in total thirteen properties were consulted. To date four neighbour representations have been received raising objection to the development.

The grounds for objection are summarised below;-

Objection raised	Response
Proposed appearance will adversely effect surrounding area.	see paragraphs's 9 -14
Proposal does not respect its setting on the edge of the Mt Stewart Conservation Area and does not preserve or enhance.	see paragraphs's 9 - 14
This will result in the loss of the existing gap which is an important transition between the Mt Stewart Conservation Area.	see paragraph's 9 - 14
Design is too bulky.	see paragraph's 9 - 14
Proposal is out of character with the streetscene	see paragraph's 9 - 14
Proposal is too large for this site	see paragraph's 9 - 14
Basement will provide substandard accommodation for bedrooms	see paragraph 16
Front garden will be hidden behind boundary fence	see paragraph's 19 - 21
Will result in overlooking of adjoining garden.	see paragraph's 21 & 22

Site notice displayed on 24/02/15

STATUTORY CONSULTTEE

Brent Transportation;-

No transportation objections subject to (i) two off street parking spaces for the existing dwelling and 1 off street parking space for the proposed new dwelling, each space measuring 2.4m wide and 4.8m deep and positioned at a right angle to Shaftesbury Avenue; (ii) 50% soft landscaping for each dwelling within the front garden; and (iii) details of front boundary treatment showing pedestrian visibility splays (2m x 2m above a height of 0.85m) at the vehicular accesses, in order to comply with Brent's Domestic Vehicle Footway Crossover Policy (iv) and further details about the vehicular access gate for the proposed dwelling should also be sought.

Landscape Design;-

Previous comments provided confirmed there was no objections in principle. Any trees lost should be replaced with suitable species, more detailed landscaping scheme for the rear garden required also to include plant species and quantity and all hard materials. These details can be secured through a landscape condition.

Regulatory Services;-

No comments to make.

Preston Amenities Protection Association;-

Confirmed that no objection is raised.

Kenton Ward Councillors;-

No responses received.

REMARKS

Background & context;-

1. The submission of this application follows on from a lengthy period of pre-application discussions which culminated in the recent refusal, in January 2015 of planning application 14/3391. During the course of pre-application discussions and the assessment of 14/3391 no objection was raised to the principle of development. However concerns were raised that related to the size and scale of the dwelling, its resultant relationship to the site boundaries, its relationship to 2A Shaftesbury Avenue and its impact on the streetscene. Following the formal submission of 14/3391, proposing a 2-storey detached dwelling to infill the space between no's 2 and 2A Shaftesbury Avenue, it was considered that the proposed 2-storey dwelling was an inappropriate form of development. The reason for refusal is set out above in the 'history' section of this report.
2. During the course of refused application 14/3391, the agent submitted plans for consideration proposing

an alternative design. This alternative proposal was for a single storey dwelling with accommodation in the roof, and basement level accommodation. The pre-application advice considered this to be an appropriate response to the above concerns associated with a two-storey detached dwelling. However this option was not pursued at that time by the applicant, who confirmed that they wanted the application determined on the basis of plans proposing a two storey detached dwelling.

Principle of Development;-

3. The proposal would result in the sub-division of this plot, demolition of the single storey building (former garage) and the erection of a new detached single storey dwelling with basement level accommodation. The site is located within a residential area, and is just outside of the Mount Stewart Conservation Area boundary. The conservation area boundary is the northern site boundary that is shared with no. 2 Shaftesbury Avenue. There is no objection in principle to a new dwelling being constructed on this site and this infill would make efficient use of previously developed land and is consistent with the aims of the NPPF. The size, scale and design of any proposal needs to be appropriate and it must either preserve or enhance the setting of the adjacent conservation area.

Proposed development;-

4. It is proposed to demolish the single storey former garage building at the rear of the site. An established use certificate for its use as an architects's office was refused (LPA Ref: 13/2810). It is understood that this building is currently in use as an office, though the precise nature of the office use is not clear.
5. The plot is proposed to be sub-divided and a new single storey dwelling is proposed to be erected on the northern part of the site. This is proposed to be a 2-bedroom dwelling with converted roofspace and basement level accommodation. It is proposed that this would be set in 400mm from the boundary shared with no.2 and a gap of 1m is proposed between the new dwelling and the flank wall of the existing dwelling, no. 2a. The proposed dwelling will have a depth of 8m, and measures 6.1m at its widest. It marginally projects beyond existing building lines to the front and rear. The design proposes a single storey dwelling with converted roofspace, similar to a chalet bungalow. This would be 3.1m high at eaves, with a ridge height of 7.15m at the apex of the roof. The context either side of this is one of 2-storey dwellings approximately 8.5m high at the ridge height. The current proposal is of a smaller scale than surrounding development.
6. This dwelling is to be sited within the shallowest part of the plot. At its closest point the proposed dwelling would be 4.1m from the rear boundary that is shared with 224 Preston Hill, and this separation increases to 5.2m at the deepest point.
7. The dwelling design includes an apex roof of the style you would associate with a chalet bungalow. Lightwells are proposed to the front and side to provide natural light to the basement level accommodation.
8. A single off-street parking space is proposed on the frontage that will be accessed via the existing vehicle crossover, with soft landscaping on the frontage and bin storage, all positioned behind the existing high level front boundary treatment. The boundary treatment is to be amended to replace the existing swing gates and piers with a single sliding gate. The crossover arrangements and the existing pair of parking spaces which serve no2A remain unaffected by this proposal.

Context, scale & proposed design;-

9. This is a suburban location, the site is surrounded by residential properties on all sides. The application site is just outside of the Mount Stewart Conservation Area boundary, the property immediately to the north (2 Shaftesbury Avenue) is situated within the conservation area. Any proposals for this site therefore have the potential to impact on views into and out of the conservation area, this is regarded as being an important transition site. UDP policy BE25 states that proposals outside of conservation areas but affecting their setting or views into and out of the area, shall pay special attention to the preservation or enhancement of the character or appearance of the area. Therefore scale, siting and design of any new dwelling are all material considerations that influence whether or not development preserves or enhances the setting of the adjoining conservation area.
10. Some examples of detached housing are found locally but the majority of housing in the vicinity of the site is semi-detached. The properties within the adjacent conservation area are of a particular character, typically the properties are referred to as Mayfair or Langham style houses. No.2A was formerly a bungalow but this has been significantly extended in the past and is now a two-storey detached dwelling with mansard roof. The design and appearance of this property is not typical of the surrounding forms of development, it does not display any of the characteristics or original features associated with Mount

Stewart properties. The existing property sits within a generous sized plot, with a gap of more than 9m from this to the closest dwelling to the north. This spaciousness is part of the established character of the streetscene along this section of Shaftesbury Avenue and it provides a transition and buffer with the Mount Stewart Conservation Area. To minimise the streetscene impact, any proposals to infill this space should still ensure sufficient gaps are retained between buildings so that this spaciousness is not lost entirely. By doing so this also has regard for a potential scenario where no.2 extends to the side at some point in the future. Were this to happen then this would result in further enclosure of the existing gap, and is further justification for the need for any new dwelling to sit comfortably within the plot away from site boundaries.

11. The previous scheme (14/3391) proposed a 2-storey detached dwelling. It was considered that the scale of this, coupled with its close proximity to the site boundaries and no. 2A Shaftesbury Avenue represented a cramped form of development. The cramped nature of the development would lead to a resultant loss of spaciousness on this important transition site on the edge of the Mount Stewart Conservation Area. It was considered this would be harmful to views into and out of the conservation area and detrimental to the character of the streetscene, failing to either preserve or enhance the setting of the conservation area and causing harmful to the suburban character of the general area.
12. As discussed a different approach altogether is now proposed. The architectural approach and the fenestration suggests a modern, chalet style bungalow design. The ridge height is significantly lower than dwellings either side resulting in a more comfortable relationship, the reduction in scale will mean the building is less intrusive within the streetscene. A front porch feature is proposed, this makes the entrance legible.
13. The main concerns raised previously related to the scale of the proposed dwelling, its relationship to site boundaries and the resultant relationship with no.2A. The existing dwelling sits comfortably within a generous plot and as it has been explained the spaciousness between buildings is an established part of the character along this section of Shaftesbury Avenue. The existing spaciousness that exists is therefore given some value, and from a streetscene point of view it is considered important that any infill development sits comfortably within the plot and retains adequate separation from the site boundaries, and equally from the flank wall of no.2A so that any new dwelling does not appear oversized and result in a cramped form of development. The scale of development is important to ensure that the proposal does not result in an awkward relationship between neighbouring properties.
14. It is considered that the current proposal would no longer result in a cramped form of development, the scale of the proposed dwelling, its height (being significantly lower than neighbouring development) and separation from site boundaries does not result in the same loss of spaciousness to the detriment of the streetscene that was associated with the previous 2-storey scheme. With the changes to the design and a reduced scale of development, it is not considered that the infill development would be to the detriment of the adjoining conservation area. Officers consider this to be a transition site, but crucially it is outside of the Mount Stewart Conservation Area so development here should not be expected to adhere rigidly to the adopted design guide, nor would it be appropriate to copy the characteristics or original design features that are inherent within the conservation area as you would end up with a pastiche version. A more modern, innovative response to the site constraints is considered to be appropriate.

Quality of accommodation:-

15. This proposes a 2-bedroom/4 person dwelling, and for such accommodation the London Plan minimum space standard is 83sqm. The proposed dwelling is measured to have a gross internal floor area of 98.5sqm. This is over and above the minimum space requirements.
16. The ground floor is to accommodate the kitchen and dining areas. Stairs will provide access to a living room above in the converted roof space. Basement level accommodation is also proposed, this will accommodate two double bedrooms, both of which will be en-suite. The front bedroom will be served by a proposed lightwell in order to gain natural daylight into the room. The rear bedroom (labelled 'bedroom 1') is to be served by a large walk on skylight feature. This will allow natural daylight into the room and adds an interesting design feature to the scheme.
17. The rear amenity space to be provided is 50sqm in area, and the retained garden area for no.2a is in excess of the minimum requirement for 50sqm. This satisfies SPG17 requirements on outside space.
18. Habitable windows on the rear elevation are to be sited less than the required distance of 10m that is normally required from habitable windows to site boundaries. This standard is used to ensure that an acceptable level of outlook is to be provided. This shortfall contravenes SPG17, however this would not

be dissimilar to the existing relationship associated with no.2A and the rear boundary. The outlook for the proposed dwelling will be reduced as a result but the outlook is onto an attractive landscaped boundary.

Landscaping;-

19. It is proposed to retain existing trees along the frontage of the site which is welcomed. At least one tree set further back into the site would have to be removed and this would have to be replaced. Soft landscaping to the front garden is proposed too, this would be largely hidden from view by the existing and proposed high level front boundary treatment. Laying out of the frontage with gravel alone is not considered to be an acceptable response to policy BE7 and the requirements to provide soft landscaping. Some areas of gravel would be acceptable, but these would need to be balanced against areas of soft landscaping that may be laid as lawn and/or include new planting. Generally the frontage layout should strike an appropriate balance between soft and hard landscaping, with a 50% split between each.
20. A 2m high sliding gate is proposed across the frontage in place of the existing swing gates. This is in keeping with the height of the existing front boundary treatment, and consistent with the frontage treatment across the full frontage of no.2A. Its impact on the streetscene will therefore be acceptable.
21. A landscape condition is required to confirm the species and location of a replacement tree, to confirm details of the rear amenity space (including planting species, size and location) as well as all hard surfacing materials and the means of enclosure of bins.

Impact on neighbours;-

22. As discussed above, the new dwelling will have rear facing habitable room windows, cited less than 10m from the opposite boundary. The affected boundary, which is shared with 224 Preston Hill currently has a dense screen of hedgerow (a Yew hedge) and trees within the neighbouring garden providing a dense landscaped buffer. This vegetation provides an effective screen, in order to mitigate against overlooking or loss of privacy. This landscaping is outside of the application site, but nonetheless it is considered this will mitigate against any perception of being overlooked or loss of privacy for users of the garden of 224 Preston Hill. The proposed dwelling will have rear facing windows that serve the converted roofspace, however the relationship of these to the rear boundary will be no different to the existing rear windows at no.2A. Given the existing relationship it is not considered this would amount to unacceptable overlooking or loss of privacy for neighbouring occupiers.
23. Flank wall windows (facing no.2) are proposed to have obscure glazing, and therefore will not harm neighbour amenity, the same applies to the velux rooflights. There are no sole habitable windows within the flank walls of neighbouring dwellings.

Transportation;-

24. On-street parking along Shaftesbury Avenue is unrestricted. The carriageway width outside the property is over 7m wide, so can safely accommodate on-street parking along both sides. The street is not noted as being heavily parked at night, and this is reconfirmed by recent surveys undertaken in 2013.
25. The parking allowance for the existing dwelling is 2 spaces. The proposed dwelling attracts a parking standard of 1.2 spaces, in accordance with adopted parking standard PS14 of the UDP (2004). The proposed layout includes one space for the proposed dwelling and two for the existing, meaning standards will be met. The parking layout for the new dwelling is acceptable. Ideally Transportation would want the existing parking layout for no.2A amended to ensure both spaces are at 90 degrees to the highway, as opposed to one space parallel to the highway as this can make turning into and out of the space difficult. The frontage of no.2A would be constrained by its size making it difficult to accommodate the desired layout. In any event this is an existing situation and the parking and access arrangements for no.2A remain unaffected by this infill development.
26. Transportation comment that pedestrian visibility splays (2m x 2m above a height of 0.85m) should be provided at the vehicular accesses. There are two existing vehicle crossovers to the site, and the boundary treatment along the frontage is currently 1.9m high. Meaning that visibility splays will not be made any worse by the proposal to install a replacement sliding gate along part of the frontage as there is no change to the boundary height.
27. It is requested that a condition is attached requiring the submission of a revised parking layout, further details sought should also confirm that both frontages will contain 50% soft landscaping. The new sliding gate proposed is preferable from a transportation point of view. A condition has been requested requiring further details of this.

Conclusion;-

28. The design of this responds to the previous reason for refusal. The scale of the proposed dwelling is much reduced and on balance it is considered that the proposal will result in an acceptable form of accommodation, that will be acceptable in terms of its impact on the streetscene and surrounding area, without unduly harming neighbouring amenity. Approval (subject to conditions) is accordingly recommended.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

(1) The proposed development is in general accordance with policies contained in the:-

National Planning Policy Framework 2012
London Plan 2011
Brent Core Strategy 2010
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Housing: in terms of protecting residential amenities and guiding new development
Transport: in terms of sustainability, safety and servicing needs

CONDITIONS/REASONS:

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

BWS-01
BWS-02

Reason: For the avoidance of doubt and in the interests of proper planning.

(3) (a) No further extensions or buildings shall be constructed within the curtilage of the new detached dwellinghouse subject of this application, notwithstanding the provisions of Class(es) A, B, C, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

(b) No further extensions or buildings shall be constructed within the curtilage of the existing dwellinghouse subject of this application, notwithstanding the provisions of Class(es) A, B, C & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason(s):

In view of the restricted nature and layout of the site for the proposed development, no further enlargement or increase in living accommodation beyond the limits set by this consent should be allowed without the matter being first considered by the Local Planning Authority. To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- (4) (a) The velux window(s) shall be constructed with obscure glazing and shall be permanently maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.
- (b) No windows or glazed doors (other than any shown in the approved plans) shall be constructed in the flank wall(s) of the new building without the prior written consent of the Local Planning Authority.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- (5) Details of materials for all external work (including windows/doors/roof tiles) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out fully in accordance with the approved details thereafter unless otherwise agreed in writing.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- (6) Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the detailed landscape works and treatment of the surroundings of the proposed development (including species, plant sizes, planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any site clearance, demolition or construction works on the site. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include but not be limited to the following:-

(a) further details of the replacement sliding gate demonstrating the opening and closing mechanism

(b) further details of frontage soft landscaping improvements

(c) further details of all hard surfacing materials

(d) provision for the satisfactory screening of bins on the frontage

(e) a suitable landscape plan showing details of the species, size, density, number and location of all new planting (including a suitable replacement tree) within the site

(f) details of the proposed arrangements for the maintenance of the landscape works.

Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives prior written consent to any variation.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

INFORMATIVES:

- (1) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- (2) The applicant is advised that the Council can no longer accept physical samples of materials. Materials should be made available to assess on-site, or details of the materials palette

submitted electronically to discharge the relevant condition.

REFERENCE DOCUMENTS:

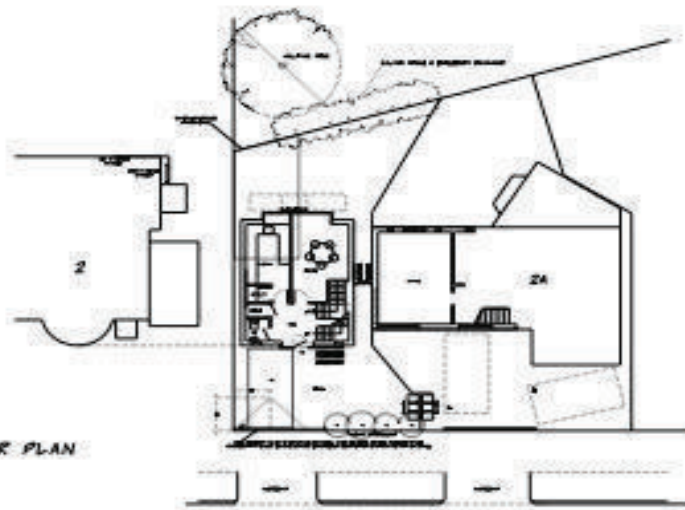
The following extracts are some of the submitted plans. All submitted details can be viewed on the Council's website www.brent.gov.uk by searching with the application reference.



EXISTING STREET ELEVATION



PROPOSED STREET ELEVATION



GROUND FLOOR PLAN



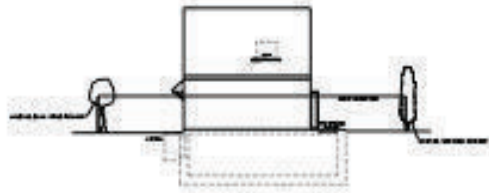
EX. SIDE ELEVATION OF NO. 2A FACING PROPOSED HOUSE



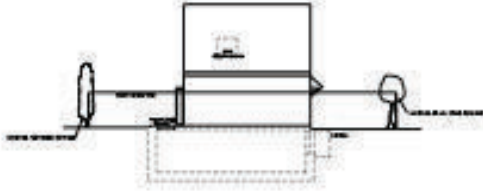
REAR ELEVATION FROM STREET DURING CONSTRUCTION
FRONT SIDE 2 EXISTING THICKET PLANT



FRONT



SIDE FACING NO. 2A



SIDE FACING NO. 2

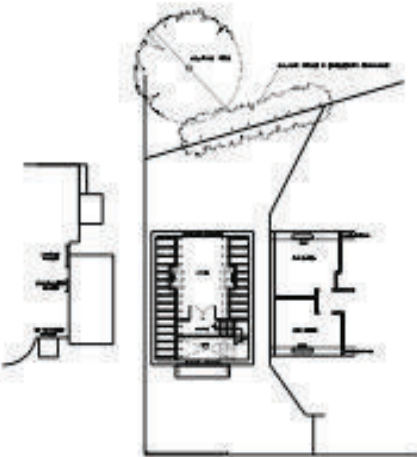


REAR

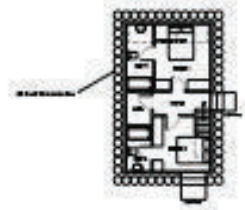


REAR SIDE VIEW RELATING TO THE GARDEN
SHOWING THE EXISTING TREE, HEDGE
AND THE L/R BURNING FENCE

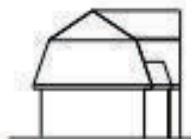
NOTES:
1. THE HOUSE IS TO BE BUILT ON THE EXISTING FOUNDATION.
2. THE HOUSE IS TO BE BUILT ON THE EXISTING FOUNDATION.
3. THE HOUSE IS TO BE BUILT ON THE EXISTING FOUNDATION.



LOFT FLOOR PLAN




LOWER GROUND FLOOR PLAN



PROPOSED SIDE ELEVATION OF NO. 2A FACING PROPOSED HOUSE

Any person wishing to inspect the above papers should contact Victoria McDonagh, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5337

 **Planning Committee Map**
Site address: FLATS 1-6 INC, 84 Bowrons Avenue, Wembley, HA0 4QR
© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

RECEIVED: 12 December, 2014

WARD: Wembley Central

PLANNING AREA: Wembley Consultative Forum

LOCATION: FLATS 1-6 INC, 84 Bowrons Avenue, Wembley, HA0 4QR

PROPOSAL: Erection of roof extension to existing three storey block of flats to form 2 new self-contained flats (2 x 1 bed) with associated cycle store to the rear

APPLICANT: Miller Developments

CONTACT: Eurohaus

PLAN NO'S:
(See Condition 2)

RECOMMENDATION

Grant consent subject to conditions listed after paragraph 27 in the *Remarks* Section.

CIL DETAILS

This application is liable to pay the Community Infrastructure Levy (CIL). The total amount is **£26,752.24** of which **£22,767.86** is Brent CIL and **£3,984.38** is Mayoral CIL.

CIL Liable?

Yes/No: Yes

EXISTING

The application relates to 84 Bowrons Avenue (flats 1-6 inclusive), which is a three storey block of flats situated on the corner of Bowrons Avenue and Norton Road. The existing building has a dual pitched roof and simple elevations that use brick and render. Surrounding development is predominantly 2-storey suburban housing.

Following the grant of planning permission (LPA Ref: 11/3367) a new detached dwelling has recently been constructed to the rear of the site, this is accessed directly from Norton Road

The site is not within a Conservation Area, nor is it a Listed Building.

DEVELOPMENT SCHEDULE

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain
dwelling houses	300			100	400

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	300			100	400

PROPOSAL

Erection of roof extension to existing three storey block of flats to form 2 new self-contained flats (2 x 1 bed) with associated cycle store to the rear.

HISTORY

14/2175 - Refused

Erection of roof extension to existing three storey block of flats to form 2 new self-contained flats (1 x 2bed and 1 x 1 bed).

Reason(s):-

1. The proposed development would result in a sub-standard form of accommodation and poor living environment for future occupants by reason of the inadequate size of both flats, failing to meet the London Plan (2011) minimum internal floor space standards. This results in a development contrary to policy BE9 of the Brent Unitary Development Plan (2004) as well as the London Plan (2011), policy 3.5 (table 3.3).

2. The proposed parking spaces to the rear are inadequately sized, and the proposed layout is likely to block access and result in the creation of spaces that aren't independently accessible from one another, and furthermore provides insufficient turning space for vehicles to be able to turn safely within the site. This is contrary to UDP policies TRN3 and PS1.

3. The proposed parking layout is considered to be harmful to the amenity of ground floor occupants of the existing block due to the proximity and orientation of spaces, which is likely to result in additional noise, disturbance and headlight glare associated with vehicles turning and manoeuvring. Furthermore it will lead to a reduction of the communal amenity space, and harm the use and enjoyment of the remainder. This is contrary to UDP policy BE9.

12/3208 - Granted

Erection of roof extension to existing three storey block of flats to form 2 x 1-bed flats (as amended by revised plan dated 18/01/13) and subject to Unilateral Undertaking dated 22nd February 2013 under Section 106 of the Town and Country Planning Act 1990, as amended.

12/2409 - Refused - Appealed - Dismissed on Appeal

Erection of roof extension to existing three storey block of flats to form two new flats (1 x 2 bed & 1 x 1 bed).

POLICY CONSIDERATIONS

National

National Planning Policy Framework - NPPF

Regional

London Plan 2010
Policy 3.3

Mayor's Housing Design Guide (2012)

Brent Core Strategy – Adopted July 2010

Policy CP17 – Protecting & Maintaining the Boroughs Suburban Character
CP21 - Balanced Housing Stock

Brent

- **BE2** Townscape: Local Context & Character
- **BE3** Urban Structure: Space & Movement
- **BE5** Urban Clarity & Safety
- **BE6** Public Realm: Landscape Design
- **BE7** Public Realm: Streetscape
- **BE9** Architectural Quality
- **H12** Residential Quality – Layout Considerations
- **H13** Residential Density
- **TRN3** Environmental Impact of Traffic
- **TRN11** The London Cycle Network
- **TRN23** Parking Standards Residential Developments
- **TRN34** Servicing in New Development
- **PS14** on residential parking standards
- **PS16** cycle parking standards

Brent Supplementary Planning Guidance

Supplementary Planning Guidance (SPG) Note 17: “Design Guide for New Development”

CONSULTATION

A total of 33 properties were consulted on 16 December 2014 (including flats 1-6, 84 Bowrons Avenue).

To date a petition signed by all 6 flats at 84 Bowrons Avenue has been received, raising objection to the proposal. Though it must be noted that the majority of the issues raised by existing residents in submission of this petition are not material to the planning application.

Residents concerns appear to relate to a dispute over the maintenance responsibility for the building, there appears to be some confusion about who is responsible for this.	It is not for the Council to investigate and confirm, nor is this material to the proposed development. This would be a civil issue for the objector(s) to pursue privately.
A concern raised that the building does not have the strength to support an additional floor.	The structural integrity of the building is covered under separate legislation. An application will need to be made to satisfy the requirements of the Building Regulations.

STATUTORY CONSULTEE

Ward Councillors;-
No responses received.

Transportation;-
No objection raised (see 'remarks' section for further discussion)

Regulatory Services;-
No objection raised.

REMARKS

Background & context;-

- 1.** There was a refusal of planning permission 12/2408, in October 2012. This sought permission for the erection of an additional floor on top of the building to create two self-contained flats (1x1-bed & 1x2-bed). There was no objection raised in principle to the construction of an extra floor of accommodation but the approach was not supported because of concerns that the roof design was overly bulky and that the external appearance was unsatisfactory. This refusal was appealed against, and the Inspector dismissed the appeal, supporting the Council's concerns related solely to design.
- 2.** A revised scheme 13/3208 was submitted to address the earlier refusal, this was revised by reducing the size and bulk of the top floor extension by setting this in from all sides, and improving the external appearance through a different approach to materials and arrangement of fenestration. This approval was granted on 13 March 2013 so is still valid and could be implemented which provides for 2 x 1-bed flats. It is notable that no objections to this application were received.
- 3.** A detached dwelling has been built to the rear of the existing block of flats. This has been built on land that originally accommodated garage parking, presumably to serve the existing flats. However over time this garage block became its own separate land parcel, and prior to their demolition, the garage spaces were not exclusively for the use of existing residents in flats 1-6, 84 Bowrons Avenue.

Policy framework;-

- 4.** The proposal is assessed against national policy, regional policy in the form of the Further Alterations to the London Plan (2015) and locally the Council's UDP policies, Core Strategy policies and standards in Supplementary Planning Guidance Note 17 "Design Guide for New Development".
- 5.** The main areas for consideration are whether this development is acceptable in terms of;
 - Design scale and massing of the extension
 - Impact it has on the host building and the character of the area

- Quality of accommodation to be provided
 - Impact it on the privacy and amenity of neighbouring residents
 - Transportation impacts,
6. The National Planning Policy Framework (NPPF) is a material consideration. Some of the key messages running through the NPPF have been highlighted below;
- Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise;
 - A presumption in favour of Sustainable Development;
 - A set of 12 core principles are identified including “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings” and also to “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”;
 - Housing applications should be considered in the context of the presumption in favour of sustainable development. And LA’s should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand;
 - Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness;
 - Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
7. In view of the current policy framework, and given the current use of the site for residential purposes no objection is raised on the grounds of principle. Support for this form of development has already been given, as evidenced by the grant of planning permission 12/3208. The current application is assessed on its planning permits, and these are now discussed in further detail below.

Main changes being proposed to the grant of planning permission 12/3208

- Raising height of roof by additional 400mm.
- Proposed alterations to fenestration and materials.

Design, Scale & Massing

8. The proposal is to add two flats to the existing block of six flats, and proposes doing so by erecting an additional floor, thus resulting in this becoming a 4-storey building. The current building has a dual pitch roof, with a ridge height of 10.3m. The proposed roof extension would see the maximum height increase to 11.1m – an increase of some 400mm on the earlier planning permission 12/3208. The principle of an additional floor being added to this building has been accepted. Planning permission exists for this through permission 12/3208. Whilst there isn’t to be a significant height increase, there is to be a marked change to the roof profile. By changing from the existing pitched roof to the flatter roof profile, this adds additional bulk and height. The very first proposal (12/2409) was refused on the grounds that the roof extension was too bulky, with only a minimal set in provided along one side, dormer windows proposed to the rear and a ‘heavy’ roof overhang feature proposed. The refusal was appealed against, and dismissed at appeal (ref: APP/T5150/A/13/2197147). The Inspector writes that *“the proposed extension would result in the extended building appearing bulky, imposing and incongruous within the street scenes of both Bowrons Avenue and Norton Road.”*
9. To overcome such concerns the footprint of the roof extension was reduced, and the additional floor set in from all four sides by 500mm. This level of set-in helped to reduce the bulk of the roof extension. The rear dormer windows were removed, so too was the thick roof overhang feature. These changes helped to create an extension that appears less ‘top heavy’ than before. Planning permission 12/3208 was subsequently granted for this, accommodating 2 x 1-bedroom flats.
10. The current application is in keeping with the scale and bulk of the previous permission with a set in of 500mm is proposed on all sides. The fenestration and external treatment to the top floor addition is proposed to differ slightly from the previous approval, resulting in the omission of the full height central window feature (facing Bowrons Avenue), and alterations to the cladding treatment. Notwithstanding this, the fenestration detailing is considered to relate well to the host building. The alignment, proportions and design of windows respect the rhythms of the existing building, and it is considered that this extension will

have an acceptable visual impact on the host building and surrounding area. The 'Juliette' balcony that is proposed on the side elevation, facing east will provide some articulation and interest to this exposed elevation, and this is welcomed. As a balcony though it has little useability given its restricted dimensions.

11. The additional roof height of 400mm above the existing planning approval is not considered to have a detrimental impact on neighbouring properties. It is not considered that this modest height increase significantly changes the nature or scale of the development and is consistent with the design, scale and massing of the previous approval.
12. In summary the roof extension is considered to relate well to the host building and is acceptable when assessed against UDP policies BE2 and BE9, as well as Core Strategy policy CP17.

Quality of accommodation & Impact on Neighbouring Properties

13. The previous consent was to achieve 2 x 1-bed/2person flats. Both units at 50sqm, and were adequately sized to meet minimum London Plan minimum space standards. This application is proposing the same accommodation. The reason for the revised application is to gain approval for the height increase of an additional 400mm.
14. The existing stairwell is extended upwards to provide access to the proposed flats.
15. No outside amenity space is proposed, but given the sites proximity to One Tree Hill Recreation ground which is on the opposite side of the road this is considered to be acceptable, as it was previously.
16. The internal layout ensures that all habitable rooms will benefit from reasonable levels of light and outlook, both flats are dual aspect. In the absence of any habitable room windows within the flank wall facing 82 Bowrons Avenue this proposal is considered to have an acceptable relationship to neighbouring occupiers in terms of maintaining privacy.
17. The distances of windows to boundaries would be no different to the existing block so no concerns relating to additional harm caused by overlooking or loss of privacy are raised.

Parking & highways matters

18. The former six-space garage court at the rear of the site has now been demolished, with a 4-bedroom detached house erected on the site as permitted under planning reference 11/3367. However, the former garage access driveway has been retained.
19. This application again seeks to provide two additional flats within a new floor – each of which comprises one bedroom (as per the approved scheme from 2012). No new parking is proposed at the rear of the site, leaving just the two existing parking spaces within the site frontage, accessed directly from Bowrons Avenue. A new bicycle store is proposed in the rear garden of the site.
20. The site is located within Controlled Parking Zone “E”, operating between 8am-9pm daily. The adjoining roads (Norton Road and Bowrons Avenue) are not listed within Appendix TRN3 of the UDP as being heavily parked and the most recent overnight parking survey from 2013 confirms that this is still the case. Public transport access to the site remains moderate.
21. As previously considered, the full parking allowances apply to the site and this amended proposal will now increase the parking allowance from 7.2 spaces to 9.2 spaces. The retention of two off-street parking spaces to the front of the site would again accord with standards.
22. In cases where the full parking standard is not met within the site though, Policy TRN23 requires consideration to be given to the impact of overspill parking on road conditions in the area. In this case, the provision of two additional flats is estimated to increase parking demand for the building to about seven spaces (75% of the maximum allowance).
23. As previously noted, there are five marked bays along the site frontage (two on Bowrons Avenue and three on Norton Road) which can be counted towards standards under the terms of Policy TRN23, with further parking bays located alongside the public park opposite. As such, plenty of spare on-street parking space is available on the lightly parked streets alongside the site to safely accommodate the likely level of overspill parking generated by this proposal.

24. As before, at least one secure bicycle parking space is required for each unit, with the two additional flats thus increasing the requirement for the building from six spaces to eight spaces. One single store of sufficient size to accommodate eight bicycles is now shown to satisfy this requirement. Further details of the design of the store are sought as a condition of any approval to ensure it offers suitable weather protection and security.
25. Bin storage is already provided to the rear of the site to allow easy collection from Norton Road and use of this area by the two additional flats would be fine.

Community Infrastructure Levy – CIL

26. Mayoral CIL has been set at £35 per sqm on developments involving the creation of new residential units. Brent CIL is set at £200 per sqm. The application is liable for both Mayoral and Brent CIL.

Conclusion

27. The principle of an additional floor of accommodation being added to this property has been supported previously. The revised proposal to erect an additional floor is considered to be acceptable in terms of its scale, design and the impact it has on the character of the host building, and will result in an acceptable standard of residential accommodation for prospective occupiers.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

- (1) The proposed development is in general accordance with policies contained in the:-

National Planning Policy Framework 2012
London Plan 2011
Brent Core Strategy 2010
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Housing: in terms of protecting residential amenities and guiding new development
Transport: in terms of sustainability, safety and servicing needs

CONDITIONS/REASONS:

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

3779/001, revD
3779/002, revD
3779/003, revD
3779/004, revC
3779/005, revD
3779/006, revD
3779/007, revC
3779/008, revC
3779/009, revD

3779/010, revD
3779/011, revD
3779/012, revD
3779/013, revD
3779/014, revD
3779/015, revD
3779/016, revD
3779/019, revD
3779/020, revD

Reason: For the avoidance of doubt and in the interests of proper planning.

- (3) Prior to first occupation of the flats hereby approved further details of secure and weatherproof cycle parking for a minimum of 8 spaces shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out fully in accordance with the approved details and fully maintained.

Reason; To ensure satisfactory facilities for cycle users.

- (4) Details of materials for all external work, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out fully in accordance with the approved details thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

INFORMATIVES:

- (1) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- (2) The applicant is advised that the Council can no longer accept physical samples of materials. Materials should be made available to assess on-site, or details of the materials palette submitted electronically.

REFERENCE DOCUMENTS:

The following extracts are some of the submitted plans. All submitted details can be viewed on the Council's website www.brent.gov.uk by searching with the application reference.



Front Elevation As Existing



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 ARCHITECTURE
 CONSTRUCTION
 PROPERTY SERVICES

PROJECT	84 Bowrons Avenue Wexley HA10 4QE
CLIENT	Miller Developments
TITLE	Front Elevation As Existing
DRAWN BY	AM
SCALE	1:100 @ A3
DATE	Mar 2014
DATE FOR	Planning
CHECKED	TM

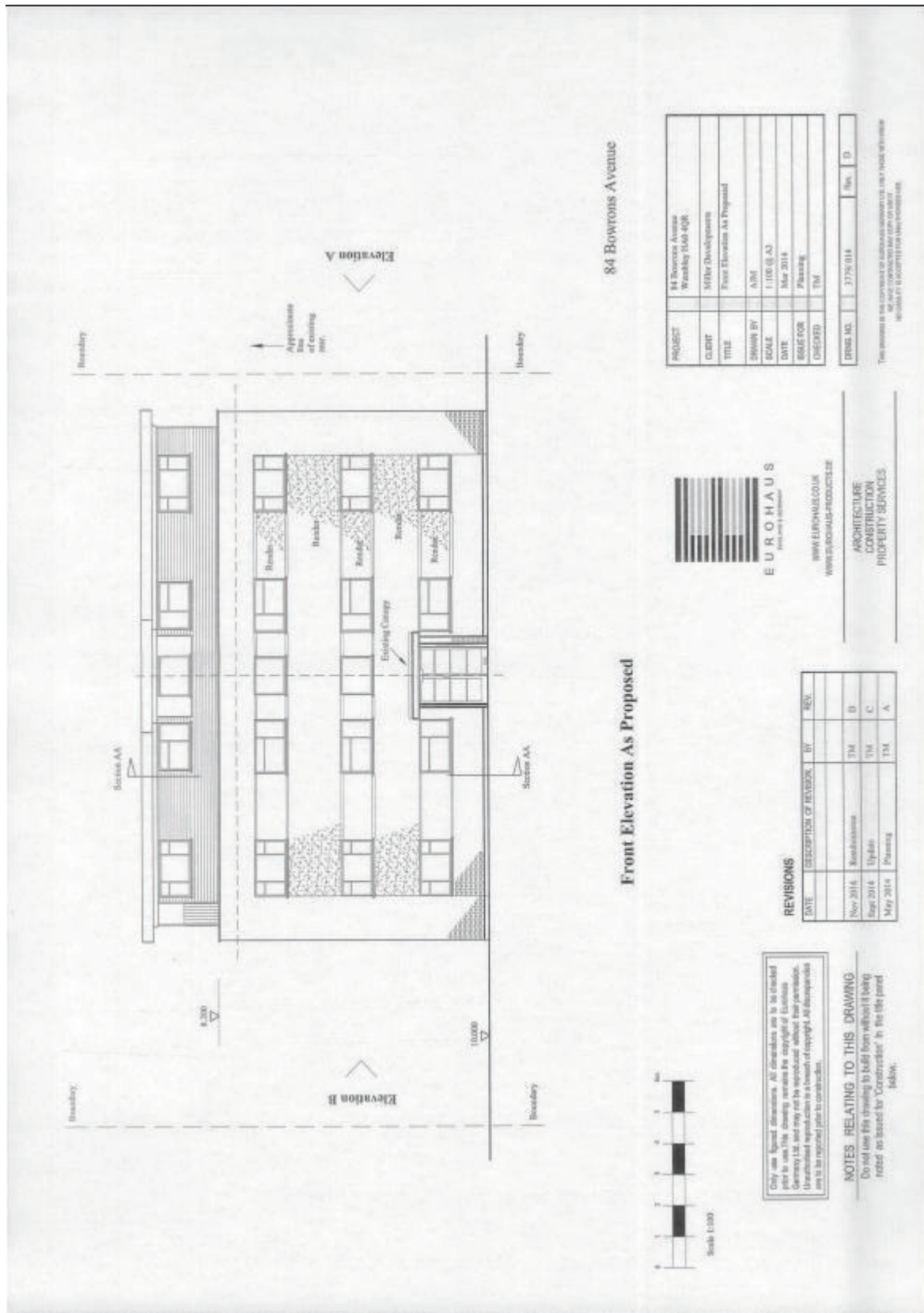
SHED. NO.	3770 000	Rev.	D
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DATE	DESCRIPTION OF REVISION	BY	REV.
Nov 2014	Revised plan	TM	D
Sep 2014	Update	TM	C
May 2014	Planning	TM	A

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84 Bowrows Avenue

Front Elevation As Proposed

PROJECT	84 Bowrows Avenue Warrington WA9 4QR
CLIENT	M/Har Developments
TITLE	Front Elevation As Proposed
DRAWN BY	AMM
SCALE	1:100 (S.A.)
DATE	Mar 2014
ISSUE FOR	Planning
CHECKED	TM

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FORM NO.	3779/014	Rev.	D
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REVISIONS

DATE	DESCRIPTION OF REVISION	BY	REV.
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Aug 2014	Update	TM	C
May 2014	Planning	TM	A

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DATE	DESCRIPTION OF REVISION	BY	REV
July 2014	Final Revision	TM	D
Sept 2014	Update	TM	C
May 2014	Planning	TM	A

REVISIONS

DATE	DESCRIPTION OF REVISION	BY	REV
July 2014	Final Revision	TM	D
Sept 2014	Update	TM	C
May 2014	Planning	TM	A



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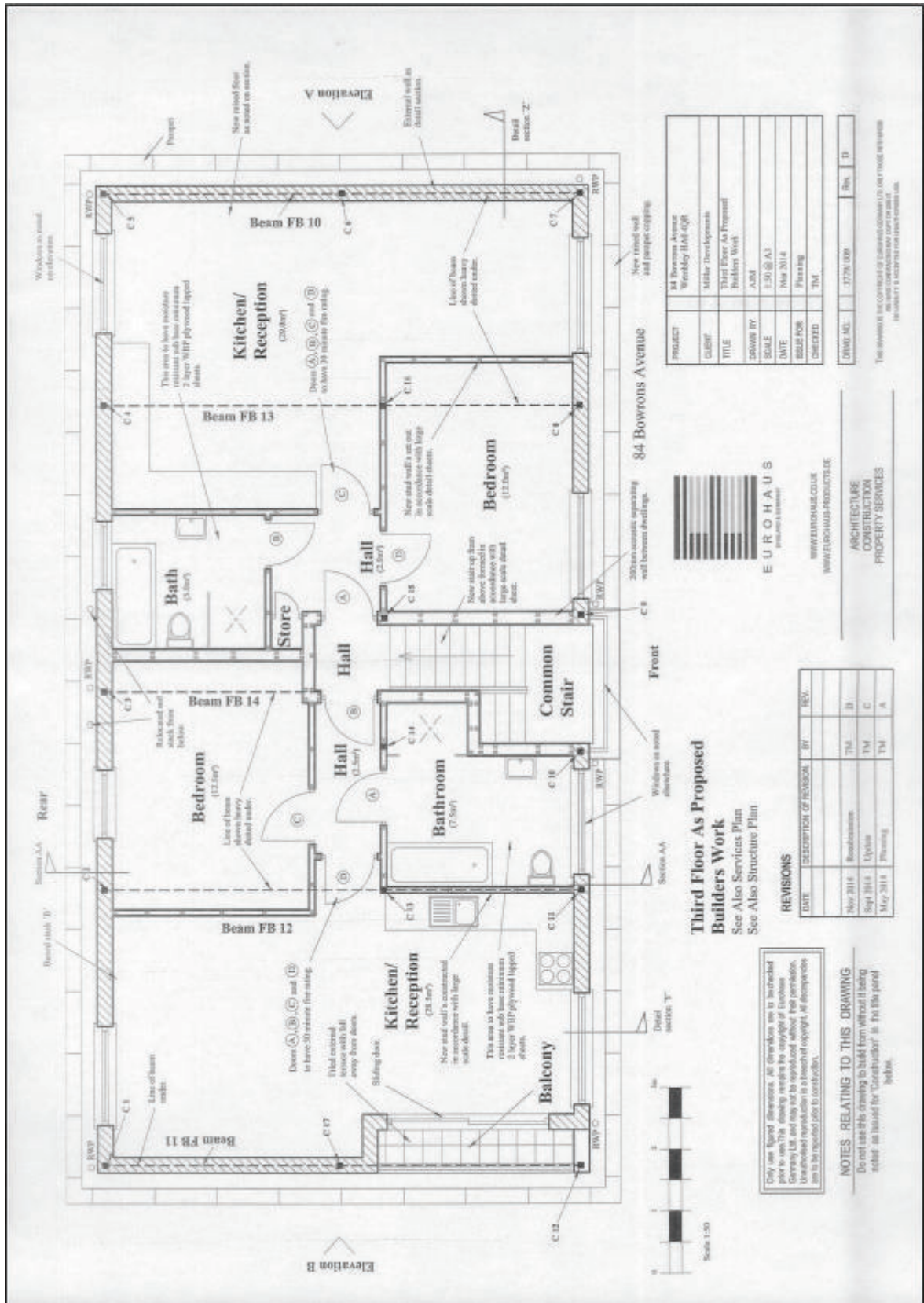
**ARCHITECTURE
 CONSTRUCTION
 PROPERTY SERVICES**

PROJECT	84 Bowron Avenue Woolley Hill QLD
CLIENT	Miler Developments
TITLE	Second Floor As Proposed
DRAWN BY	JDM
SCALE	1:100 @ A3
DATE	24/7/2014
ISSUE FOR	Planning
CHECKED	TM

DRAWN BY	3779 000	REV	D
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PROJECT	24 Bowrons Avenue Wendley Hall 408
CLIENT	Miller Developments
TITLE	Third Floor As Proposed Builders Work
DRAWN BY	ARM
SCALE	1/32" @ A3
DATE	Mar 2014
SCALE FOR	Planning
CHECKED	TM

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PROPERTY SERVICES

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DATE	DESCRIPTION OF REVISION	BY	REV.
Nov 2014	Revised	TM	B
Sept 2014	Update	TM	C
May 2014	Planning	TM	A

**Third Floor As Proposed
Builders Work**
See Also Services Plan
See Also Structure Plan

NOTES RELATING TO THIS DRAWING
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below.


Only use signed drawings. All dimensions are to be checked
prior to any building work. The contractor is responsible for
checking all dimensions and for any discrepancies. All dimensions
are to be reported prior to construction.

DRWG. NO.	3776-000	She.	D
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This drawing is the contract of submission between us. Do not make any
changes without our consent.
It shall be a contract for the client.

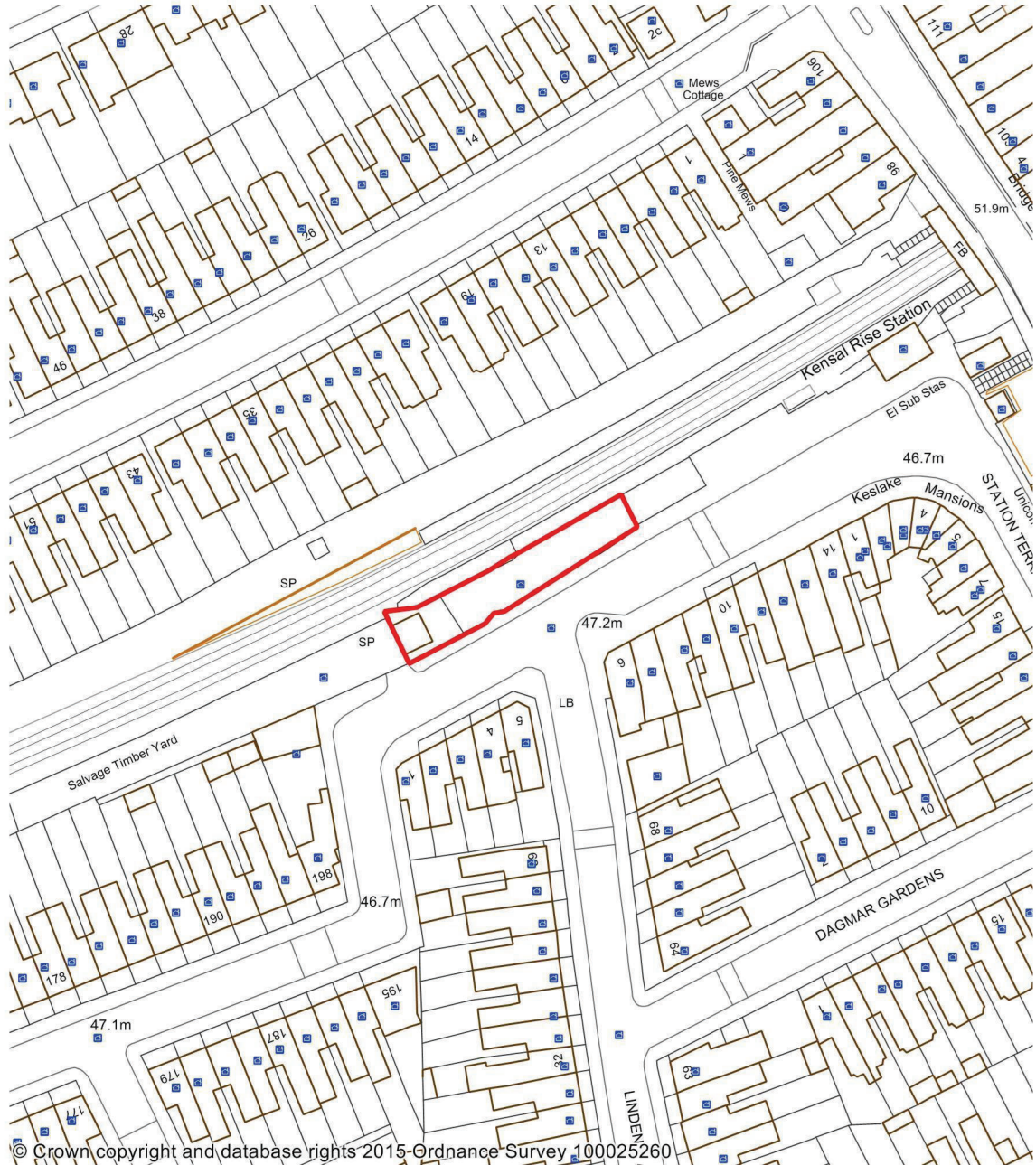
Any person wishing to inspect the above papers should contact Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227

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 **Planning Committee Map**

Site address: STORAGE LAND OPPOSITE LINDEN AVENUE, Station Terrace, London

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This map is indicative only.

RECEIVED: 19 August, 2014

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: STORAGE LAND OPPOSITE LINDEN AVENUE, Station Terrace, London

PROPOSAL: Redevelopment of the storage land opposite Linden Avenue to include the demolition and removal of existing buildings and structures and the erection of four storey building comprising 9 no. self-contained flats (7 x 2 bed and 2 x 3 bed) (Use Class C3), 5 no. retail units (Use Class A1) and 1 no. office unit (Use Class B1) on the ground floor with associated loading bay

APPLICANT: Mr Paul Evers

CONTACT: Truekiffin & Co

PLAN NO'S:

See Condition 2.

RECOMMENDATION

Grant permission subject to the completion of a satisfactory Section 106 or other legal agreement and conditions detailed after paragraph 24 of the *Remarks* Section and Delegate Authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

SECTION 106 DETAILS

The application requires a Section 106 Agreement, in order to secure the following benefits:-

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Servicing Management Plan
- Car Free Agreement (Residential and Business Users)
- #50,000 to go towards off-site tree planting in Station Terrace and public realm/landscaping improvements at land at the junction of Station Terrace and Chamberlayne Road.

If approved, the application would attract a liability for both Brent and Mayoral Community Infrastructure Levy (CIL).

And, to authorise the Head of Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

CIL DETAILS

This application is liable to pay the Community Infrastructure Levy (CIL). The total amount is **£197,349.57** of which **£161,646.43** is Brent CIL and **£35,703.14** is Mayoral CIL.

CIL Liable?

Yes/No: Yes

EXISTING

The site located on Station Terrace is bound by a Railway line to the North, a Skip Yard to the West and a parking lot to the East. The site is accessed via Station Terrace. The Western end of the site itself is occupied by a two storey building, which is in use as an office to a roofing company. The remainder of the site is used for the storage of shipping containers. The site is not located within a Conservation Area, nor is any part of the site considered to be a listed feature. The property is located within a Local Centre.

PROPOSAL

See above.

HISTORY

Planning application (Ref No: 12/2511) for Erection of 9 residential units with 5 (A1) retail units and 1 (B1) office. Application technically deleted 7 May 2014

Planning permission (Ref No: 98/0219) for the redevelopment of site to provide two detached 2-storey Use Class B1 (Business Class) buildings (as amended by plan received on 14/09/98) was granted on 2 December 2002.

Planning application (Ref No: C5648 1449) for the erection of a single storey office building extension was refused on 27 September 1971.

Planning application (Ref No: P1864C 3654) for the erection of an extension to provide a cloakroom and accommodation was granted permission on 13 June 1976.

Planning application (Ref No: P1864A 1554) for the erection of a new workshop and office block was refused permission on 6 September 1966

POLICY CONSIDERATIONS

The following planning policy documents and guidance are considered to be of particular relevance to the determination of the current application

The National Planning Policy Framework (NPPF)

National Planning Policy Framework (NPPF)

The NPPF was published on 27 March 2012 and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. It seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. It includes a presumption in favour of sustainable development in both plan making and decision making. The NPPF is intended to provide a framework within which local people and Councils can produce their own distinctive Local and Neighbourhood Plans. It aims to strengthen local decision making and reinforce the importance of keeping plans up to date.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. The Core Strategy will also need to be in conformity with both the London Plan and the NPPF. In doing so it has significant weight attached to it.

The recommendation here is considered to comply with the Core Principles set down in the NPPF:

- Planning should be genuinely plan led empowering people to shape their surroundings. Plans should be kept up-to-date and provide a practical framework within which decisions on planning applications can be made.
- Creation of the opportunity to be creative in finding ways to enhance and improve places in which people live their lives.
- Proactively drive and support sustainable economic development to deliver homes, business and industrial units, and thriving local places that the country needs. Plans should set out a clear strategy for allocating sufficient land which is suitable for development in their area taking account of the needs of the residential and business communities.
- Secure a high standard of design and levels of amenity.
- Promote the vitality of the main urban areas whilst protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside.
- Aim for a low carbon future in a changing climate and encourage the use of renewable resources.
- Conserve and enhance the natural environment and reduce pollution. Allocations of land for development should prefer land of lesser environmental value.
- Encourage the use of brownfield land provided it is not of high environmental value.
- Promote mixed use developments.
- Conserve heritage assets in a manner appropriate to their significance.

- Manage patterns of growth to make the fullest use of public transport, walking and cycling focussing significant development on locations which are or can be made sustainable.
- Support strategies which encourage health, social and cultural well being for all and deliver community and cultural facilities and services to meet local needs.

Mayors London Plan 2011

The London Borough of Brent LDF Core Strategy 2010

CP2 Population and Housing Growth
 CP21 A Balanced Housing Stock

The London Borough of Brent Unitary Development 2004 ('saved' policies)

BE2 Townscape: Local Context & Character
 BE7 Public Realm: Streetscape
 BE9 Architectural Quality
 H12 Residential Quality – Layout Considerations
 TRN23 Parking Standards – Residential Development
 PS14 Parking Standards
 SH3 Major Town Centres and Districts Centres

Supplementary Planning Guidance Note 17: Design Guide for New Development

CONSULTATION

Letters were sent to 105 neighbouring properties as well as Ward Councillors on 22 August 2014.

5 objections have been received from local residents on the following basis:

- The building is too high;
- The design is out of keeping with what is around. Should be more based on Station Terrace properties opposite.
- Views from Clifford Gardens not considered;
- No off-street parking is proposed;
- There has already been significant noise and disturbance from existing works undertaken by TFL. The development will increase noise from trains using railway line; and
- Does Brent need more housing?

Officer response

- The height of the building has been addressed in the remarks section below;
- A car-free agreement would be secured by a s106 agreement to prevent parking on adjacent roads;
- Any noise and disturbance associated with the proposal would be covered by Environmental Health legislation, also the s106 agreement obliges the applicant to join the considerate contractors scheme.
- The need for additional housing in Brent is established by the London Plan and Policy CP2 of the Core Strategy.

In addition, **1 letter of support** has also been received. The feeling is that something needs to happen on this site.

REMARKS

Principle of development

1. The site is in use as storage and offices and has evidently been under-used in recent years. Policy EMP9 of the UDP generally restricts the loss of employment sites, but expands to say that where a site is adjacent a town centre, and contributes to regeneration, then certain alternative uses may be acceptable. Policy SH3 requires that new Major Development to be subject to such a sequential approach (ie: The first preference will be for development on sites within Wembley and Kilburn). However as the development is not a Major development, the sequential approach set out in Government Policy is not applicable here. Policy SH3 also requires new development to demonstrate a need for the development. Retail (A1) and Offices (B1) uses are considered to contribute to the vitality and viability of the adjacent Town Centre itself.

2. The site is as explained located adjacent Kensal Rise town centre therefore a scheme comprising ground floor retail and office uses with residential above meets the general aspirations of policy EMP9. As such the

form of development is accepted in principle. The site benefits from a very good Public Transportation Accessibility Level (5) and as such is considered to be appropriately located in terms of general access.

Urban design

3. The character here is generally mixed with the subject site sited between a Bus Depot to the South, a railway line to the North, skip goods yard to the West, a car park to the East and 3 storey terraced housing further North and South. The proposal envisages a 4-storey block with A1 on the ground floor and residential on the upper three floors. The site is physically constrained so any development is likely to follow the form currently proposed and alternative approaches to a linear building are limited.

4. The proposed development will help to strengthen the building line which the existing vacant site fails to do. It is noted that Chamberlayne Road and Clifford Gardens on the opposite side of the railway line have higher ground levels than that of Station Terrace, as such the 4 storey building is considered to be a reasonable approach for a development in this location taking into account what is around. The proposed scale of the development appears to sit comfortably within the streetscape. The height of the new building will be one recessed storey higher than properties on Station Terrace. There has been concern that the building is too high, including when viewed from across the railway line in Clifford Gardens. Although the matter is a balanced one given that the site has been undeveloped for a long period of time and so any building is going to have an impact in visual terms it is considered that the proposal is able to be accommodated on the site in design terms.

5. The recessed circulation cores on the front elevation split the development into 6 elements which effectively reduces the scale of the block. The front elevation is reasonably well proportioned with strong elements of both vertical and horizontal emphasis. The arrangement of material (which will need to be secured by condition for clarity) and fenestration creates a visually interesting and coherent building which is likely to present an improvement to the existing streetscene. The variety within the palette of materials creates an interesting architectural language and is generally supported.

6. The ground floor shopfront does not include great clarity over the detail of future signage where future advertising might take place. It is considered that, whilst this absence might not be a reason for refusal on its own, it is something that needs to be considered in order to avoid unacceptable signage proposal at a later date. A condition securing such details is attached.

7. The site occupies a fairly prominent location, with views of it from Station Terrace, Clifford Gardens and the railway to the rear. The existence of the railway means that opportunities for window openings are limited and the appearance of the building needs to reflect this. Details of the proposed materials will be secured by condition so to ensure a good quality development is ensured. Visuals have been submitted which give an indication that the building should be acceptable in urban design terms with it essential that attention is paid to the rear elevation in addition to the front. The elevation that faces the railway line will be visible both to passengers who use the station, but also those who travel along the railway line through the Borough, and residents in Clifford Gardens across the line. It is considered that sufficient attention has been paid to all elevations in order for the proposal to be supported.

8. The proposed development has been designed to respect the established the scale and design of the surrounding streetscene. It is considered that the proposal is appropriately sited and laid out, whilst maintaining the existing street formation and grain. The proposed elevations represent a relatively simple design approach and a contemporary development is proposed. The simple palette of materials is welcomed and details will be secured by condition.

Quality of Accommodation

8. The site is located on Station Terrace and backs onto a Railway Line. The potential for noise nuisance therefore exists and it is important that the residential units are built to a specification that will reduce the impact of noise. Details will be secured by condition. Noise transmission can be mitigated by correct insulation and in order to deal with the issue of street noise the applicant will be required to undertake a noise assessment to ascertain what level of mitigation is needed. This will ensure that suitable attenuation is achieved in the rooms facing the Railway Line

9. The Mayors London Plan 2011 details minimum internal floor area requirements for proposed self contained units. The current standards require 2-bedroom (4-person) flat to be a minimum of 70 square metres and 3 bed units to be 86 square metres in floor area. The internal space provision within this scheme complies with the Mayors guidance as set out in the table below:

Flat No	No of Rooms	No of	Flat size
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		Occupants	
Flat 1	3 Bed	6 Person	102 sqm
Flat 2	2 Bed	4 Person	74 sqm
Flat 3	2 Bed	4 Person	74 sqm
Flat 4	2 Bed	4 Person	74 sqm
Flat 5	2 Bed	4 Person	74 sqm
Flat 6	2 Bed	4 Person	74 sqm
Flat 7	2 Bed	4 Person	74 sqm
Flat 8	3 Bed	6 Person	102 sqm
Flat 9	2 Bed	4 Person	88 sqm

10. External amenity space is provided in the form of external balconies at third floor level. SPG17 requires 240 sqm (7 x 20sqm and 2 x 50 sq m) for a development of this quantum, although the Guidance Note also makes an allowance for a more flexible approach to be employed, particularly in urban areas such as this where it is inevitably more difficult to meet the guidance requirements. The proposed balconies located to the front of the property provide approx half of the SPG17 guidance normal requirements. The development would, therefore, provide an element of useful external space, but the issue is inevitably a balanced one on sites like this where it is difficult to provide the full amount. The submitted visual illustration indicates the introduction of street trees in front of the building (the plans show a total of 6 trees) and this is something that has been explored over time with Officers in an effort to mitigate the impact of limited on site amenity space. The provision of such trees will certainly serve to enhance the street scene in this location and is welcomed, as is the opportunity to undertake some landscaping/public realm improvements towards the Chamberlayne Road/Station Terrace junction which is an area identified by Ward Councillors as being in need of attention. The funding of such trees and off-site improvement works needs to be controlled by way of a legal agreement. It is considered that the reasonably sized internal floor area in the units when considered alongside the outside terrace space and the off-site improvements described above means that the development provides a suitable standard of accommodation which can be supported.

11. The issue of having residential units next to a railway line has been considered. Whilst the units are proposed to be dual aspect which will maximise the amount of light and outlook available to them, the windows fronting the railway line will be secondary windows only and will be fixed closed so to minimise noise transmission into the units. Post completion noise testing will ensure this is the case.

Impact on Neighbouring amenity

12. SPG17 requires a minimum separation of 20m between directly facing habitable room windows. Windows fronting the railway will as explained above be fixed closed and will, in any event, be in excess of 20sqm from nearest neighbouring properties in Clifford Gardens. Windows fronting Station Terrace will follow the traditional relationship of neighbouring properties across the street from one another.

13. There has been some objection from Clifford Gardens in terms of the impact that the building would have on those properties. As explained above things are inevitably going to change for people living nearby, given the long standing storage use. There will be no loss of privacy as a result of overlooking on the basis that there will be no windows allowing views and the height of the building would be well within the SPG17 guidance as far as building close to boundaries are concerned which Members will be aware is used to assess impact of new development on existing residents.

14. As explained above, if this site is to be developed then it is likely to be developed in this way. The scale, mass and positioning of the building is on balance considered to be acceptable. As a result, whilst matters will inevitably change for those residents of Clifford Gardens and Station Terrace who look out towards the application site, the physical impact of the buildings will be within acceptable limits and the erection of the new block will not have such an unacceptable visual impact so as to justify refusing the scheme on this ground. It has been suggested that the building is a storey too high. Although it is obviously the case that the scale of the building could be reduced the current scheme is considered to be acceptable for the reasons set out, making effective use of land that has been plainly underused.

15. It is considered that the relationship of the proposed building to people living around would be acceptable.

Highways and Access

16. The site is located on a Local Access Road and lies within a CPZ. It has a very good public transport accessibility with a PTAL rating of 5. In terms of the existing situation the site is occupied by a light industrial use comprising over 475sq of B8 floorspace. This attracts a maximum car parking standard of 1 car, and requires servicing provision of at least a single full sized bay (for a 8m rigid vehicle).

Commercial

17. The proposed development will attract a maximum of 6 car spaces for the A1/B1 office development and will require 3 "Transit"-sized servicing bays to fully meet standards. One transit servicing bay has been provided at the end of the building furthest away from the entrance into the railway station on neighbouring land which is in the ownership of the applicant. Whilst the provision of 1 transit bay falls short of the stricter requirements quoted above, the Highway Engineer is of the view given the small sizes of the commercial units which range in size from 22 to 55 sq metres all units could be serviced adequately if details were secured via a management plan and it is unlikely in this situation that the proposal would be likely to result in conditions that would be prejudicial to highway safety in the locality. As such details of servicing shall be secured via a condition and controlled through a legal agreement as failure to control the servicing would be unacceptable to the Councils Transportation Engineers.

Residential

18. Above the proposed retail and office units will be a total of nine residential properties, which will attract a further 8.3 car spaces. There is not room to provide car parking to the maximum standards, either off-street or on-street, but Transportation would accept a "car-free" agreement in this location which would remove the rights of residents and business owners to apply for on-street parking permits. This would again need to be secured via Section 106 Legal Agreement.

Other Matters

Refuse and Recycling

19. The proposed refuse and recycling storage facilities for the commercial and residential properties are located in two storage areas, one at either end of the proposed property frontage. These stores mean that residents and business occupiers will need to carry waste a maximum of approximately 30m from their front doors, which complies with Safer Streets guidance on maximum carry-distances

Cycle Parking

20. Residential properties should each be provided with a secure and covered facility, while retail units require secure facilities too. The requirement for retail cycle parking may be waived as there is local on-street cycle parking within 40m of the site, however residential cycle parking should be provided at a rate of 1 space per dwelling, within secure lockers or similar arrangement. The amended submission shows the development to fall in line with these requirements.

Contamination

21. The proposed development is on a site that has been identified by Brent Council as being potentially contaminated as a result of previous uses that have taken place. So to ensure a safe development is achieved, if Members are minded to grant permission, details of ground testing and due remediation (if so required) should be secured by condition

Consultation Overview

Objection raised	Response
The proposed development will be out of scale and of poor design	A contemporary design approach is considered to be an appropriate one. The design and appearance of the proposed development is discussed above in paras' 2 - 6
There is insufficient parking for the proposed flats which will result in unsafe and congested parking conditions within the locality of the site.	This issue is discussed in paras 15-17 of the above report
Loss of Neighbouring Amenity	See paragraph 11.
Noise Pollution to gardens at Clifford Gardens	It is considered that the development itself is unlikely to cause increased noise nuisance and the erection of a building would not be likely to result in noise from trains on the line reflecting back towards residential properties.
The proposal is of limited value to the community	Please see paragraph 1

Previous Application

22. As explained in the History section above a previous application was withdrawn on this site having made it onto the Planning Committee agenda. This was essentially to do with issues of land ownership and concerns expressed by Network Rail in relation to the railway land to the rear. The Council have sought confirmation that the applicant has control over all the land that forms part of this application, including the proposed servicing bay which is proposed to be shared at the western end of the site. We have received correspondence from Network Rail which says that the matter is now resolved.

23. Originally Network Rail also set out a number of concerns relating to "Asset Protection" and potential conflicts between the operation of the railway and the proposed building that would have had implications on the form of development that could be achieved on the site. Once again, we have received confirmation from Network Rail that their concerns about Asset Protection have been adequately dealt with and that the building could (1) be built and (2) once built would not cause issues for the rail operator.

Affordable Housing

24. Policy 3.13 of the London Plan requires the provision of affordable housing on sites with a capacity to provide 10 or more units. It is noted that the size of some of the 9 units proposed here exceed the minimum floor space standards contained in Policy 3.5 of the London Plan with the internal design of the units and their mezzanine floors reducing the amount of floor space further. It is therefore necessary to consider whether the existing building envelope that could provided 10 units or above (but is been essentially underdeveloped) which would then trigger the requirement to provide affordable housing. This point has been discussed with the applicants who have explained their thinking behind the proposal and it is considered that the situation is not so clear so as to argue that this is a case where a building is been deliberately under developed so as to avoid the need for affordable housing.

RECOMMENDATION: Grant Consent subject to Legal agreement

(1) The proposed development is in general accordance with policies contained in the:-

National Planning Policy Framework
Brent Core Strategy 2010
Brent Unitary Development Plan 2004

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Housing: in terms of protecting residential amenities and guiding new development

CONDITIONS/REASONS:

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) The development hereby permitted shall be carried out in accordance with the following approved drawing:

- 629 E'01-E'04.
- 629 PX'01, P01-P'05.
- 629 SC X01, 02, 03.
- 629 EMR 01.
- 629 3D 01, 3D 02, 3D 03.
- 629 PT01, PT02, PT03, PT04.

- 629 OS01-10.
- 629 S01, SV01, TS01
- 629 SC01.
- 629 SC X01P.
- Cross section through railway & Station Terrace existing.
- Cross section through railway & Station Terrace proposed
- Design & Access Statement 5/2/2015.
- Practical Acoustics report (31/1/2012).

Reason: For the avoidance of doubt and in the interests of proper planning.

- (3) No water tank, air conditioning or ventilation plant, extraction equipment or other roof structure shall be erected above the level of the roof hereby approved without the further written consent of the Local Planning Authority

Reason: To ensure that such further structure(s) do not prejudice the amenity of the neighbouring occupiers or the appearance of the area.

- (4) Details of materials for all external work, cladding system, including bricks, balconies, canopies, windows and render shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality

- (5) Prior to occupation of the dwellings results of the post-completion testing undertaken to demonstrate that reasonable resting conditions (Living rooms) LAeq, T 30 dB (day: T =16 hours 07:00 –23:00), reasonable sleeping conditions (Bedrooms) LAeq, T 30dB (night: T = 8 hours= 23:00 – 07:00) LAmax 45 dB (night 23:00 – 07:00) have been met should be submitted and approved in writing by the Local Planning Authority and thereafter the development shall not be occupied until the approved scheme has been fully implemented.

Reason: To ensure that the occupiers are not subjected to excessively high noise levels and to ensure an adequate standard of amenity.

- (6) In order to mitigate against the possibility of numerous satellite dishes being installed on the buildings hereby approved, details of a communal television system/satellite dish provision shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be fully implemented.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

- (7) Further details of the shop and office frontages (Including signage zone) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality

- (8) Prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination, and an appraisal of remediation options should any contamination be found that presents an unacceptable risk to future site users. The written report is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the safe development and secure occupancy of the site

- (9) Any remediation measures required by the Local Planning Authority shall be carried out in full.

A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is permitted for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

Reason: To ensure the safe development and secure occupancy of the site

- (10) The A1 units shall not be used except between the hours of:-

0800 hours and 1900 hours Mondays to Saturdays

0900 hours and 1700 hours Sundays and at no time on Bank Holidays without the written consent of the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

- (11) The redundant vehicular crossover shall be restored to kerb-and-channel and any street markings altered at the developer's expense before the development hereby permitted is first occupied.

Reason: In the interests of highway and pedestrian safety.

- (12) No development shall be carried out until what time as the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- (13) Prior to commencement of the development, further details of construction and maintenance shall be submitted to and approved in writing by the Local Planning Authority and Network Rail. The work shall be carried out in accordance with the approved details.

Reason: To ensure the safe development and secure occupancy of the site

- (14) Prior to commencement of the development, the applicant must submit details of the proposal for the approval of Network Rail and the Local Planning Authority in terms of the building and its precise location and proximity to the Network Rail boundary in order for any future maintenance of the development to commence in a place of safety due to the presence of electrified overhead line equipment (OHLE).

Reason: To ensure the safe operation of the railway and occupier during construction and completion of the development

- (15) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) the use of the area denoted as A1 and B1 on the ground floor plan hereby approved shall only be for purposes within Use Classes A1 and B1, unless otherwise agreed in writing by the Local Planning Authority, providing that any extraction equipment required by the uses are approved by the Local Planning Authority in advance of the unit being served by the required extract equipment being occupied.

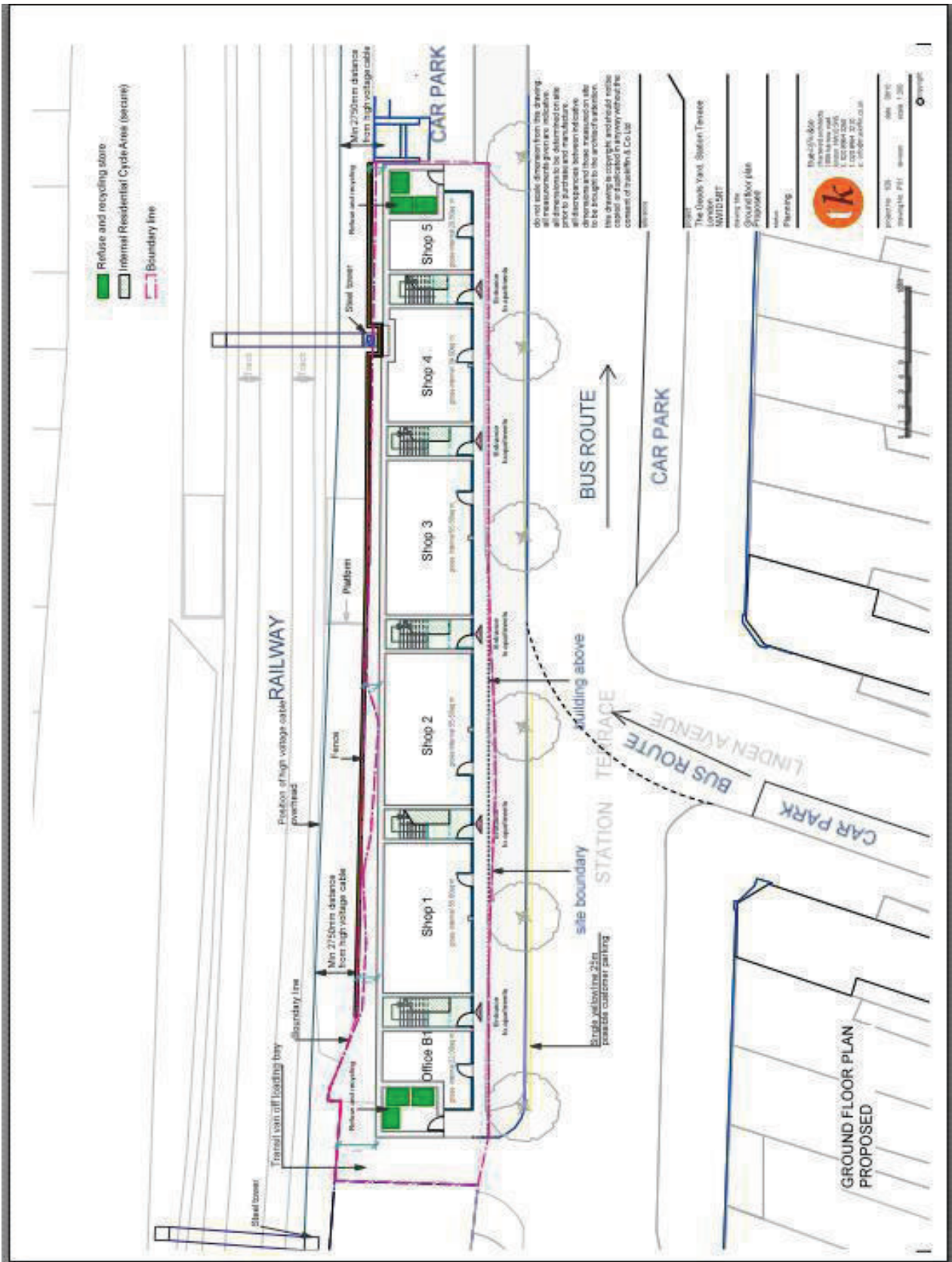
Reason: To allow an appropriate level of flexibility in the use of this floorspace and in the interests of amenity.

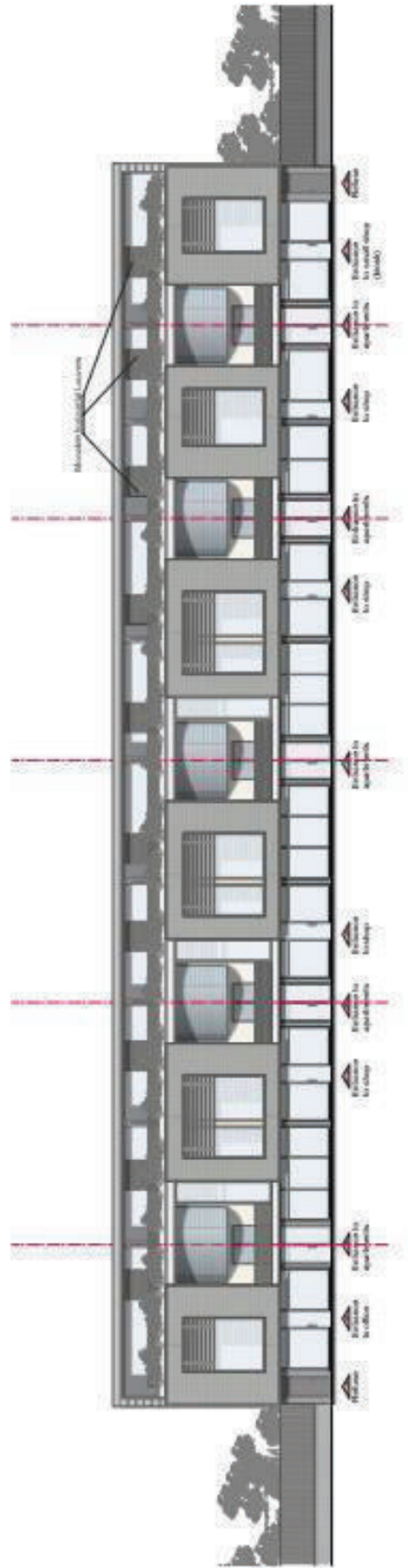
INFORMATIVES:

- (1) The applicant is informed that, the quality of imported soil must be verified by means of in-situ soil sampling and analysis. The Council do not accept soil quality certificates from the soil supplier as proof of soil quality.
- (2) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- (3) The applicant is advised to contact Network Rail prior to commencement of work.
- (4) Whoever carries out the works is reminded of their obligation to comply in full with s60 of the Control of Pollution Act 1974 and the British Standard Codes of practice 5228:1997 Parts 1 to 4 which states that Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of: Monday to Friday 08:00 to 18:00, Saturday 08:00 to 13:00 and at no time on Sundays or Bank Holidays.

REFERENCE DOCUMENTS:

The following extracts are some of the submitted plans. All submitted details can be viewed on the Council's website www.brent.gov.uk by searching with the application reference.



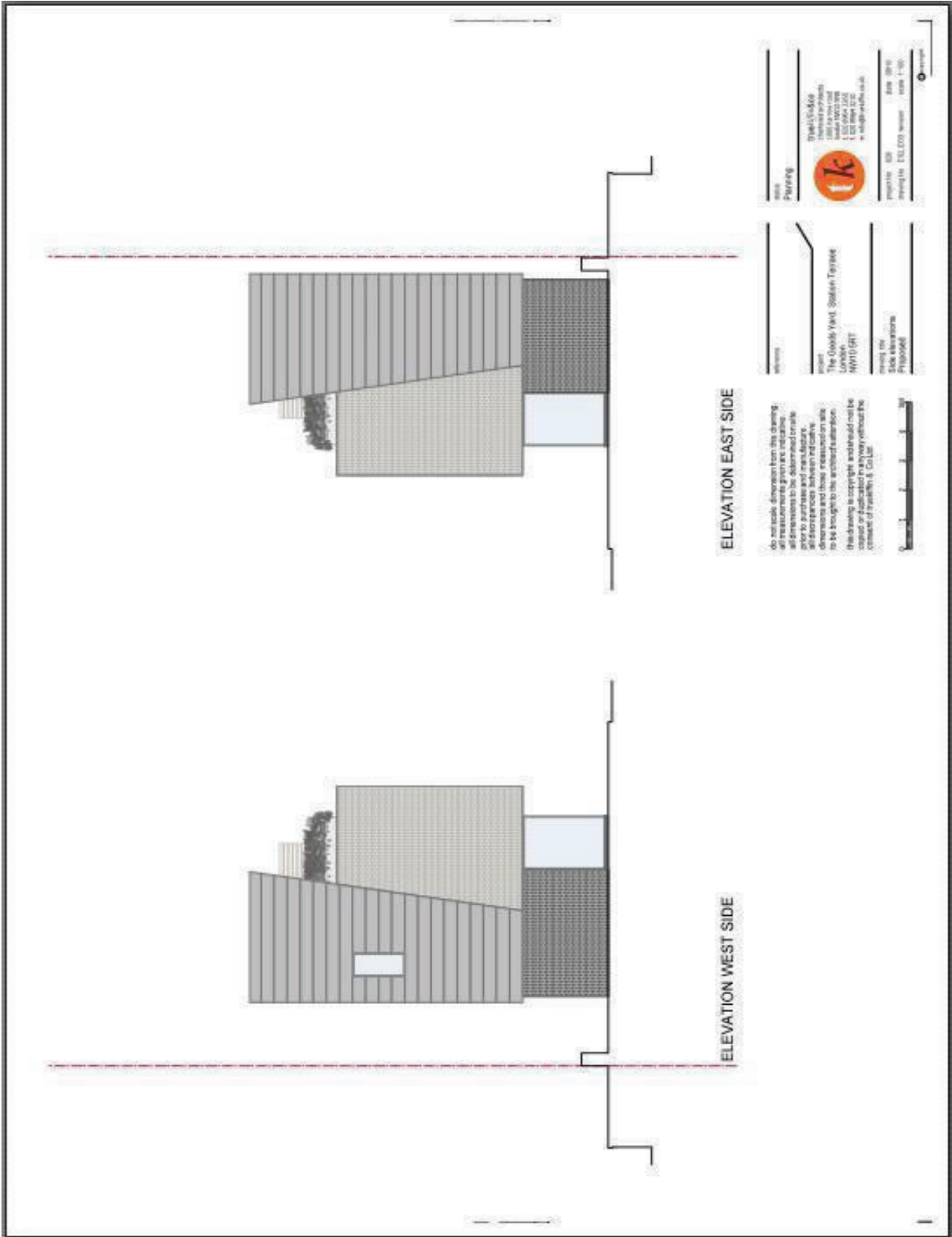


ELEVATION SOUTH FRONT

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<p>Project Name Planning</p>	<p>Project No. 1000000000</p>
<p>Client The Google Vent, London Terrace London W4V 0RT</p>	<p>Project Date 08/06/20</p>
<p>Project Location London</p>	<p>Project Status 08/06/20</p>
<p>Project Description 08/06/20</p>	<p>Project Reference 08/06/20</p>





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Reference: **tk**

Project: **The Goods Yard, Station Terrace
 Luton
 NW10 5RT**

Client: **3D Front and side elevation
 Proposed**

Issue: **Planning**

Issue No: **001** Date: **06/13**

Issue Date: **20/07/14** Issue No: **001** Date: **06/13**

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3D - Front and side elevation

Any person wishing to inspect the above papers should contact Andy Bates, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5228